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Rules and regulations
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guidance and observance of
those using and operating
the canals of Canada ...
2 vol.in 1.



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(**Dominion of Canada**)
DEPARTMENT OF TRANSPORT

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RULES AND REGULATIONS

[and Amendments]

FOR THE GUIDANCE AND OBSERVANCE
OF THOSE USING AND OPERATING THE

CANALS OF CANADA

Under the Jurisdiction of
the Department of Transport

2 vol. in 1.

*Established by the Order in Council of April 11, 1940
To be of effect on and after July 1, 1940 and
Published by authority of the Hon. C. D. Howe, M.P.
Minister of Transport*



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1940 -41

Dominion of Canada

DEPARTMENT OF TRANSPORT

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DOMINION OF CANADA
DEPARTMENT OF TRANSPORT

RULES AND REGULATIONS FOR THE GUIDANCE AND
OBSERVANCE OF THOSE USING AND OPERATING
THE CANALS OF CANADA UNDER THE JURIS-
DICTION OF THE DEPARTMENT
OF TRANSPORT

TO BE OF EFFECT ON AND AFTER THE FIRST DAY OF JULY, 1940, AS ESTABLISHED BY THE ORDER IN COUNCIL OF THE ELEVENTH DAY OF APRIL, 1940, AND TO SUPERSEDE THE RULES AND REGULATIONS AS ESTABLISHED BY ORDER IN COUNCIL DATED THE 29TH DAY OF APRIL, 1937, AND AS AMENDED BY ORDERS IN COUNCIL DATED THE 23RD DAY OF MAY, 1938, AND THE 8TH DAY OF JUNE, 1939.

These regulations are of two kinds, namely, *General*, applicable to all the canals enumerated below, and *Special*, applicable only to the particular canals specified, and are to be accepted by all parties using the canals as the conditions under which the said canals are to be used.

SHORT TITLE

These rules and regulations may be cited as the "Canal Rules and Regulations."

ENUMERATION OF CANALS

The Canals of Canada under the jurisdiction of the Department of Transport are as follows:—

Main Route:

- Lachine Canal
- Soulanges Canal
- Cornwall Canal
- Farran's Point Canal
- Rapide Plat Canal
- Galops Canal
- Welland Ship Canal
- Sault Ste. Marie Canal

Other Routes:

St. Peters Canal
 Richelieu River Canals
 Old Beauharnois Canal
 Ottawa River Canals
 Old Galops Canals
 Rideau Canal
 Murray Canal
 Trent Canal
 Welland Canals (other than Welland Ship Canal)

CANAL DISTRICTS

The said canals shall include the following and be grouped and specified as follows:—

“Quebec Canals,” including the Lachine and Soulanges Canals and the Old Beauharnois Canal with the Government Dams at Valleyfield, all on the St. Lawrence River; the St. Ours and Chambly Canals on the Richelieu River; and the Ste. Anne, Carillon and Grenville Canals on the Ottawa River.

“Ontario-St. Lawrence Canals,” including the Cornwall Canal and the Williamsburg Canals. The “Williamsburg Canals” including the Farran’s Point, Rapide Plat and Galops (including the whole of the Old Galops and the North Channel) Canals.

“Welland Canals,” including the Welland Ship Canal extending from the entrance to Port Weller on Lake Ontario to the southern extremity of the Port Colborne Breakwater on Lake Erie; the Third Canal including Port Dalhousie Harbour, Lock No. 1 and those parts, which have not been alienated, of Third Canal Lands extending from Port Dalhousie to St. Catharines; the Second Canal extending from Port Dalhousie to Thorold; the Welland River including the Cut at Chippawa, and the Feeder Canal between Welland, Port Maitland and Dunnville.

“Sault Ste. Marie Canal” and the upper and lower entrance channels from the International Boundary to the lock.

“St. Peters Canal.”

“Rideau Canal” and its subsidiary waters, including the Tay Branch.

“Trent Canal” and its subsidiary waters and the “Murray Canal.”

Canal Sections for Statistical Information

Sections or subdivisions of canals, for purposes of Ship’s Report and statistical information are as follows:—

Canals on the St. Lawrence River, viz: the Lachine, the Soulanges, the Cornwall and the Williamsburg (offices at Montreal, Cascades Point, Cornwall and Cardinal).

Welland Ship Canal (offices at Port Colborne and Port Weller).

Sault Ste. Marie Canal (one office at the lock).

St. Peters Canal (one office at St. Peters, C.B.).

Richelieu River Canals (offices at St. Ours Lock and Chambly Basin).

Ottawa River Canals (offices at Ottawa, Carillon and Ste. Anne).

Rideau Canal (offices at Ottawa, Smiths Falls and Kingston Mills).

Murray Canal (one office at Carrying Place Bridge).

The Trent Canal (offices at all locks and at Swift Rapids, Big Chute and Port Severn).

Third Welland Canal (one office at Lock No. 1, Port Dalhousie).

INTERPRETATION

In the following regulations, unless the context requires a different meaning,—

(a) The word “Department” shall mean the Department of Transport;

(b) The word “Minister” shall mean the Minister of Transport, or his Deputy, or Acting Deputy, or any Minister acting for, or in the place of, the Minister of Transport;

(c) The words “General Superintendent” shall mean the General Superintendent of Canals of the Department of Transport, or such person duly appointed to act in that behalf;

(d) The words “Superintending Engineer” or “Superintendent” shall mean respectively the person holding the office of Superintending Engineer or Superintendent of any of the Dominion canals or any person duly authorized to act for any such officer;

(e) The words “lockmaster,” “bridgemaster,” “marine railway operator,” “damkeeper” and “bridgekeeper” shall mean and include any person who is actually on duty in charge of a lock, marine railway, dam or bridge;

(f) The word “officer” shall mean and include all persons employed by the Department in any position exercising control in connection with the canals;

(g) The word “employee” shall mean and include all persons employed by the Department other than “officers” as above defined;

(h) The words “season of navigation” when applied to any canal, shall mean the varying period from the date of the official opening to the date of the official closing of navigation on such canal, both dates inclusive, as fixed from time to time by the General Superintendent;

(i) The word “vessel” shall mean and include any ship, boat, barge, dredge, scow, pontoon, skiff, canoe, or other craft which normally floats, whether propelled by steam, or otherwise;

(j) The word “raft” shall mean and include any raft, bag, parcel, sack or crib of timber (whether manufactured or unmanufactured) of any description, such as lumber, logs, floating timber, rafting materials, ties, poles, pulpwood and cordwood;

(k) The words “working days” shall mean days on which work can legally be performed;

(l) The word “owner” shall mean and include any owner or part owner, the captain, master or person in charge of any vessel or raft, and the agent of such owner;

(m) The word “goods” shall mean and include any animal, commodity or merchandise of any description or nature whatsoever;

(n) The term “wintering” shall mean the occupying, by a vessel or raft, within the non-navigation season, of a berth within the limits of the canals, whether such vessel or raft be floating or on the ground;

(o) The term "lying up" shall mean the occupying by a vessel or raft, within the season of navigation, of a berth in such portion of a canal as shall be specifically designated by the General Superintendent or Superintending Engineer for that purpose;

(p) The term "lying in wait" shall mean the waiting of a vessel or raft, during the season of navigation, in any portion of a canal not specifically designated by the General Superintendent or Superintending Engineer for the purpose of the lying up of vessels and/or rafts;

(q) The term "basin" shall mean any navigable area, whether or not including a part of the normal canal prism, provided for the loading, unloading, turning or passing of vessels;

(r) The term "harbour" shall mean each of the harbours at Port Colborne, Port Weller and Port Dalhousie;

(s) The term "canal" shall have the same meaning as is assigned to that word in Section 2 of the Department of Transport Act;

(t) The words "package freight" shall mean goods that are bagged, baled, boxed, bundled, crated, wrapped, or otherwise enclosed or bound for transportation;

(u) The words "bulk freight" shall mean all other goods not comprised within the definition of package freight.

GENERAL RULES AND REGULATIONS

APPLICABLE TO ALL CANALS OF CANADA UNDER THE JURISDICTION OF THE DEPARTMENT OF TRANSPORT, EXCEPT AS HEREIN OTHERWISE PROVIDED IN THE "SPECIAL REGULATIONS" FOR INDIVIDUAL CANALS.

Control

1. (1) The Canal Rules and Regulations are made under the authority of Sections 25 and 26 of the Department of Transport Act, being Chapter 171, Revised Statutes of Canada, 1927, as amended by Chapter 34 of the Statutes of 1936.

(2) The duty of enforcing these regulations shall rest with the General Superintendent, or the Superintending Engineer or the Superintendent in control of the operation of the particular canal affected, and the power of fixing (within the limitations provided herein) the several penalties for violations of these regulations shall vest in the General Superintendent.

(3) Any person who fails or refuses to comply with these regulations or with instructions issued under these regulations by the General Superintendent or the Superintending Engineer or the Superintendent shall be liable to a penalty not exceeding One Hundred dollars for each and every such offence for which no other penalty is provided.

(4) Section 30 of the Department of Transport Act applies to recovery of penalties and is quoted herewith:

"All pecuniary penalties imposed by this Act, or by any regulation made under the authority thereof, shall be recoverable, with costs, before any justice of the peace for the district, county or place in which the offence was committed, under Part XV of the Criminal Code, and if sufficient distress cannot be found, and such penalty is not forthwith paid, such justice may, by warrant under his hand and seal, cause the person offending to be imprisoned for such term as such justice directs, not exceeding thirty days, unless such penalty and costs are sooner paid."

"Such penalties shall, except as hereinbefore provided, belong to His Majesty, for the public uses of Canada."

Customs Clearance Papers

2. Customs clearance papers of vessels must be produced and shown to any Superintendent or lockmaster when required or passage of canal may be refused.

Time When Canals are Open

3. The canals will be open for navigation throughout each day and night, including Sundays, during the season of navigation, with the following exceptions:—

(a) The season of navigation on canals other than those constituting the main route may start later and end earlier than on those constituting the main route. Information regarding the duration of the season of navigation on any canal for any year may be obtained from the Superintending Engineer of such canal.

(b) The Carillon, Grenville, Ste. Anne, Chambly, St. Ours, Rideau, Murray and Trent Canals have restricted Sunday hours, and announcement will be made each year at the time of opening of navigation of the Sunday opening rules as applying to that navigation season for these canals.

(c) On the Trent Canal, the railway movable bridge at Hastings is operated twenty-four hours daily except Sundays and all other railway movable bridges are operated from 7.30 a.m. to 9.30 p.m. daily except Sundays or during such other hours as may be determined from time to time by the General Superintendent.

(d) On the Rideau Canal, the railway movable bridge at Smiths Falls is operated daily from 6 a.m. to 10 p.m. or during such other hours as may be determined from time to time by the General Superintendent.

(e) The St. Peters Canal will be open on week days only from 7 a.m. to 6 p.m. or during such other hours as may be determined from time to time by the General Superintendent.

Use of Canals to be at Owner's Risk

4. All vessels or rafts, when plying on or passing through the canals, shall do so entirely at the risk of their respective owners; and His Majesty shall on no account be held liable or responsible for any compensation to the owner or owners of any such vessel, or raft, should it be prevented from using any canal, or part thereof, or be detained or delayed whilst passing through the same, on account of an accident, howsoever caused, that may occur to the works or structures forming part of any of the said canals, or during any repairs to the same, or for any other reason.

Agreement to Comply With Canal Rules and Regulations Required

5. No vessel or raft shall pass through any canal or lock unless and until an agreement in the terms below set out is signed by the owner of such vessel or raft, or by such other person as may be duly authorized by the owner thereof to sign the same and the General Superintendent shall have the right to refuse entry of any vessel or raft to any canal or lock until he is satisfied that the person signing the said agreement has been duly authorized to sign the same by the owner of the said vessel or raft.

Certificate and Agreement

The undersigned certifies that this Ship's Report contains a full, just and true account of the (a)..... (hereinafter referred to as "the said vessel") and of all goods and passengers on board the said vessel for the voyage from the port of (b)..... to the port of (c)..... and the undersigned in consideration of being allowed by His Majesty passage through or use of those canals of the Dominion of Canada on the route of the said voyage, agrees that such passage or use shall be made subject to the current rules and regulations in force, approved by the Governor in Council, and to all the fines, penalties, conditions, and liabilities imposed thereby for the infraction thereof; and further agrees to comply with and abide by all the provisions in such rules and regulations, and, forthwith on demand to pay and discharge all dues, fines, penalties, and liabilities imposed under such rules and regulations, and, in default, that such action may be taken by and on behalf of His Majesty as provided for in such rules and regulations to enforce compliance therewith,

and to give effect to the same, and for the recovery of all such dues, fines, penalties and liabilities so imposed; and further agrees to make no claim or demand or take any action or proceeding in a Court of Law or Equity against His Majesty, for, or by reason of, any damage, injury or loss caused to or sustained by the said vessel or its cargo while passing through the said canals or any of them, caused by or resulting from the negligence of any officer or servant of His Majesty while acting within the scope of his duties or employment on said canals or any of them and further agrees to indemnify and save harmless His Majesty from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, brought or prosecuted, in any manner based upon, occasioned by or attributable to the passage of the said vessel through the said canals or any of them.

Dated this.....day of19....

(d) Owner of Vessel

(e) Signature

Agent of owner of aforesaid vessel.

(f) Title

Witness

(a) Insert name of vessel or, in the case of a raft, the material thereof.

(b) Insert name of port of departure.

(c) Insert name of port of destination.

(d) Insert name of owner of vessel.

(e) Signature of person authorized to sign on behalf of such owner.

(f) Statement of office or occupation of signatory.

Let Pass Requirements

6. No vessel or raft shall pass through any canal or part thereof without a proper official "Let Pass" or (in the case of a passage of lock only on a trip) a proper official "Ship's Report" used as a "Let Pass," which must be obtained at the first or nearest canal statistical office. At the entrance to the first canal being used by a vessel or raft, before obtaining a "Let Pass," the owner of any vessel or raft must furnish to the statistical officer or other officer in charge at the nearest canal office a full detailed report signed and certified by himself and made out on the regular printed "Ship's Report" form supplied for that purpose showing, in the case of a vessel, the registered gross and net tonnage, the nature and quantity of the cargo as stated on the bills of lading, and its destination and, in the case of a raft, the number of pieces of timber and feet B.M., logs, spars, ties, etc., of which it is composed and its destination.

If so authorized by the Department, when bills of lading are not immediately available, the details of the nature and quantity of the cargo may be supplied at a later date and at another canal statistical office.

The regular "Ship's Report" and "Let Pass" will be used for all vessels except for pleasure craft of forty (40') feet or less in length. Owners of pleasure craft of forty (40') feet or less in length, such as motor boats, yachts, etc., desiring to make use of the canals will receive, on application to the local statistical officer or, on the Trent and Rideau Canals, any lockmaster, a special "Season Let Pass." These special let passes will be valid only for the season and must be shown to the statistical officer or lockmaster when passing through any lock on these canals.

Let Pass to be Shown When Required

7. The owner of any vessel or raft, before passing it through any lock, must show to the lockmaster or other officer in charge the "Let Pass" for such vessel or raft; and the same shall be shown whenever and as often as required by any such officer; and in default thereof such vessel, or raft, shall not pass through the lock; and the General Superintendent, or the Superintending Engineer, or the Superintendent, shall have the right at any time to board any vessel, when necessary, in order to check or verify any pass, manifest, or Ship's Report of such vessel; and the owner of any such vessel or raft, who shall obstruct any officer in such discharge of his duty, shall be liable to a penalty of not less than Fifty dollars and not exceeding Two Hundred dollars, for each and every such offence.

Vessels in Bad Condition

8. Any vessel or raft which is in such condition as, in the opinion of the General Superintendent, or the Superintending Engineer or the Superintendent, to jeopardize the canal works, or to become, or be likely to become, a source of damage, or delay to navigation, shall be prohibited from proceeding into any canal or, if already in the canal, from proceeding further therein; or on the demand of the General Superintendent, or the Superintending Engineer or the Superintendent, shall proceed out of the canal in the direction and manner as instructed; and the owner of any such vessel or raft, who refuses or fails to obey such prohibition, demand or instructions, shall be liable to a penalty of not less than Ten dollars and not exceeding Two Hundred dollars.

Canal Officers May Examine Vessels or Rafts

9. The General Superintendent, or the Superintending Engineer or the Superintendent, shall, at all times, have full power to stop any vessel, or raft, at any point on the canal, and to enter on and remain on such vessel, or raft, so long as he may deem necessary for the purpose of examining the same; and every facility shall be afforded him for obtaining such information concerning such vessel or its cargo, or raft, as he may desire, and for ascertaining the number of cribs or the number of pieces of any description of timber of which the raft is composed; and any person obstructing such officer in the execution of his duty by failing to stop such vessel when required, or by withholding such information, or otherwise, and the owner of any such vessel, or raft, with regard to which such officer is obstructed in the execution of his duty or which is not stopped when required by such officer or with regard to which such information is withheld, shall be liable to a penalty of not less than Fifty dollars and not exceeding Two Hundred dollars.

Draught of Water

10. (1) Every vessel, drawing five feet or over, navigating any canal shall be correctly and distinctly marked and gauged at the bow and stern so as to show her exact draught fore and aft and no vessel without such gauge marks shall enter any canal.

(2) For vessels over 260 feet in length using the Sault Ste. Marie Canal, and over 400 feet in length using the Welland Ship Canal, correct and distinct amidship marks on both sides are required in addition to the fore and aft markings.

(3) Whenever required any vessel must produce a certificate, duly sworn to, from the last drydock the vessel was in, that her draught marks are correct.

(4) No vessel shall enter or proceed in the Welland Ship Canal drawing more than twenty-three feet of water; the Canals of the St. Lawrence River more than fourteen feet; the Murray Canal more than eleven feet; the Chambly Canal more than six and a half feet; the St. Ours Canal more than twelve feet; the Rideau Canal more than five feet; the Ottawa River Canals more than nine feet; the St. Peters Canal more than seventeen feet; the Trent Canal between Trenton and Swift Rapids, Severn River, as well as through Port Severn Lock more than six feet and the marine railways, Severn River, four feet; and the Sault Ste. Marie Canal more than the draught recommended by the General Superintendent or the Superintending Engineer based on the available draught of the lock or the recommended draught for the St. Mary River; and the owner of a vessel which proceeds in violation of this regulation shall be liable to a penalty not exceeding One Hundred dollars, and the vessel shall be liable to detention until the said penalty is paid and the vessel properly lightened. Should exceptional circumstances so require or justify, the above draught limits may, however, at the discretion of the General Superintendent, or the Superintending Engineer, be either increased or diminished but no vessel shall pass through any lock or reach unless the depth of water on the controlling point for draught in such lock or reach exceeds by at least three inches the maximum draught of the vessel at the time.

Trim of Vessels

11. All sailing or other vessels navigating any canal under the jurisdiction of the Department or any of the harbours of Port Colborne, Port Weller and Port Dalhousie shall have all their equipment, accessories and cargo so arranged and secured that no damage will be done to any lock gates, piers, bridges or other works or property of, or to any other vessel in, any such canal or harbour; and all their discharge pipes shall be covered with hoods so as to discharge below the lock coping. All vertical and/or hanging fenders used by vessels when passing through locks shall be made of such material as will float. The owner of the offending vessel shall be liable to a penalty of not less than Five dollars and not exceeding Forty dollars for each violation of this regulation.

Smokestack Screens

12. No steam vessel using wood as fuel for motive purposes shall pass into or through any portion of the canals, or their harbours, without having fixed at the top of each of her smokestacks a wire screen, the meshes of which shall be no wider than one-quarter of an inch; such screen to be so placed as to be easily seen by the lock employees, when closed. For violation of this regulation the owner of the offending vessel shall be liable to a penalty of twenty dollars for each and every offence; and any lockmaster who shall permit the passage of any such craft without such wire screen closed on each of the smokestacks shall be liable to a penalty of Twenty dollars for each such offence.

Tractor and Animal Towing

13. No tractor or animal traction shall be used on any canal, except on the Murray, the Richelieu River Canals and the Ottawa River Canals. The persons undertaking towing must have the necessary number of tractors in good condition or of horses in good health and His Majesty shall on no account be held liable or responsible for any compensation to the owner or owners of tractors, horses or rigs on account of any accident, however caused, that may occur to their tractors, horses or rigs.

Barges in Tow

14. (1) Barges or scows having no steering apparatus, when towed by other means than tugs, shall be towed so that the distance between their source of traction and the point where the tow line is snubbed to the barge or scow shall be at least one hundred feet.

(2) Except with the special permission, in writing, of the General Superintendent, or the Superintending Engineer, no steamer or tug shall tow more than one barge at a time on the canals of the St. Lawrence River and the Welland Ship Canal, except upbound between Locks 20 and 21 on the Cornwall Canal, and upbound on the Williamsburg Canals, nor shall any barges be towed abreast on any canal except with such permission.

(3) When so required by the General Superintendent, or the Superintending Engineer, two tugs must be provided for towing a barge through the canals of the St. Lawrence River and the Welland Ship Canal and, if not so provided on instruction, passage of any of these canals by such barge may be prohibited.

(4) The owner of any vessel towing or pushing a barge, scow or other vessel shall be liable for any injury or damage caused by such barge or other vessel.

(5) For any violation of paragraphs (1), (2) or (3) of this regulation, the owner of the vessel being towed and/or the owner of the towing vessel shall be liable to a penalty of not less than Five dollars and not exceeding One Hundred dollars.

Speed of Vessels

15. Every vessel, after entering a canal, shall proceed, in the opinion of the General Superintendent, at a reasonable speed so as not to cause undue delay to vessels navigating in the same direction but no vessel shall pass through any canal or harbour at a greater speed than that fixed by the General Superintendent, or the Superintending Engineer,—which speed, when not otherwise specified, shall be taken as not exceeding six miles an hour. No vessel shall proceed in any canal at a speed greater, in the opinion of the General Superintendent, or the Superintending Engineer or the Superintendent, than is reasonable and proper having regard to the traffic and use of such canal or so as to endanger the life or limb of any person or the safety of any property. For any violation of this regulation, the owner of the offending vessel shall be liable to a penalty, for every offence, not exceeding Two Hundred dollars; and, further, the vessel may be detained at any lock for a period equal, in the opinion of the said officer, to the time gained by such vessel through such violation.

Lights on Vessels

16. Every vessel or raft navigating any of the canals, or any navigable channel between any of the canals, or lying moored in any canal or such navigable channel, shall, during the night, comply with the current regulations of the Department respecting lights. No vessel shall use a search light for ordinary navigating purposes in canal water. If it becomes necessary to use a search light in a case of emergency, then the rays of the search light shall not be directed towards the pilot house or navigating bridge of another vessel nor towards the operating house of a canal bridge, or the control room of a canal lock, nor along the tops of lock walls on which canal employees are on duty. Vessels when lying at a pier awaiting their turn to enter a lock shall be considered as still under way and their lights are to be regulated accordingly. For any violation of this regulation the owner or person in charge of such vessel or raft shall be liable to a penalty of not less than Four dollars and not exceeding Forty dollars.

Lights on Locks and Movable Bridges

17. (1) When at night a lock is ready for the admission of a vessel, a red light will be exposed on the mitre of the gates farthest away from the approaching vessel; and no vessel shall attempt to enter the lock until such light is shown.

(2) Fixed lights will be shown at night on all movable bridges, red when closed to navigation, and green when open, and no vessel shall attempt to pass unless such green light is so shown.

(3) For any violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Ten dollars and not exceeding Two Hundred dollars for each such offence.

(NOTE Regulation 112 for the Welland Ship Canal.)

Meeting and Passing of Vessels

18. (1) In all cases of vessels meeting in a canal, their passing of each other shall be governed by the then existing rules and regulations of the Department respecting the meeting and passing of vessels; each vessel shall always pass on the port side of the other, except in the locations as follows:—

- (a) In South Basin No. 1 of the Lachine Canal, each vessel, unless both be tugs or other small boats, shall pass on the starboard side of the other;
- (b) At Bridge No. 15 of the Welland Ship Canal, where two separate channels are available, the down or northbound vessel shall have the right of way and shall signal to the up or southbound vessel which channel it proposes to take. The signal so given shall be promptly answered by the Master or person in charge of the up or southbound vessel.

(2) When two vessels are approaching from opposite directions a swing bridge which does not provide separate channels for up and down traffic and which curtails the normal width of the navigation channel, the downbound vessel shall have the right of way, the upbound vessel holding back so that the vessels will pass each other at least 300 feet below the bridge.

(3) When two vessels, either one of which exceeds 100 feet in length, are approaching a bend in a canal from opposite directions, the downbound vessel shall have the right of way and the upbound vessel shall check down so as to avoid meeting in the bend.

(NOTE.—This paragraph does not apply to the Welland Ship Canal.)

(4) For any violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Two dollars and not exceeding One Hundred dollars.

Overtaking and Passing of Vessels

19. (1) When one vessel is overtaking another, and the master or person in charge of a vessel which is astern shall desire to pass on the right or starboard side of the vessel ahead, he shall give one short blast of the whistle, as a signal of such desire and intention, or, if he shall desire to pass on the left or port side of the vessel ahead, he shall give two short blasts of the whistle as a signal of such desire and intention and the master or person in charge of the vessel ahead shall answer by the same signals; or if he does not think it safe for the vessel astern to attempt to pass at that point, he shall immediately signify the same by giving five or more short and rapid blasts of the whistle.

and under no circumstances shall the vessel astern attempt to pass the vessel ahead until such time as they have reached a point where it can be safely done, when said vessel ahead shall signify her willingness by blowing the proper signals.

(NOTE Regulation 120 (1) for Sault Ste. Marie Canal.)

(2) If the vessels are within 300 yards of a lock or swing bridge towards which the vessels are progressing the faster vessel shall not attempt to pass.

(3) For any violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Two dollars and not exceeding One Hundred dollars.

(NOTE Regulation 110 for the Welland Ship Canal.)

Passing Moored Vessels

20. Any vessel passing a vessel or vessels moored to a wharf, pier or the bank of any canal and any vessel passing construction and maintenance equipment working in a canal shall proceed at dead slow engine speed while so passing. For any violation of this regulation the owner of the offending vessel shall be liable to a penalty not exceeding One Hundred dollars and he shall be liable for any damage to such moored vessel or to such construction and maintenance equipment resulting from failure to comply with this regulation.

Precedence at Railway Bridges

21. Precedence at railway movable bridges shall, at all times, be given to canal traffic, but no unreasonable delay shall be caused by any vessel to railway traffic; the General Superintendent, or the Superintending Engineer or the Superintendent, shall be the judge as to the reasonableness of the delay. If the signal for the bridge is given by any approaching train while a vessel is between a quarter of a mile and a half mile distant from the bridge, the vessel must slow down, stop if necessary, and await the passage of the train. For any violation or attempt at violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Five dollars and not exceeding One Hundred dollars.

(NOTE Regulation 112 for the Welland Ship Canal.)

Signal of Approach

22. A steam whistle, bell or horn shall be sounded at least half a mile before a vessel reaches any lock or movable bridge as an approach signal from the vessel; provided, however, that such signal shall be given to such extent only as, in the opinion of the General Superintendent, or the Superintending Engineer or the Superintendent, is necessary to give the officer in charge of such lock or bridge timely warning to make preparations to receive the vessel at the lock or to allow it to pass through the bridge opening. For any violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Two dollars and not exceeding Twenty dollars.

(NOTE Regulation 111 for the Welland Ship Canal.)

(NOTE Regulation 120 (3) for the Sault Ste. Marie Canal.)

Vessels Approaching Lock or Bridge

23. (1) It shall be the duty of the master or person in charge of any vessel on approaching any lock or bridge to ascertain for himself, by careful observation, whether the lock or bridge is prepared to allow the vessel to enter or pass, and to be careful to stop the speed of any such vessel in sufficient time to avoid a collision with the lock or its gates, or with the bridge or other canal works. For any violation of this provision the owner of the vessel shall be liable to a penalty of not less than Five dollars and not exceeding One Hundred dollars.

(2) All vessels approaching a lock, while any other vessel is in or about to enter the same, shall be stopped and made fast to the posts or other device placed for that purpose and shall be kept so tied up until receiving direction from the officer in charge to proceed. For any violation of this provision the owner of the offending vessel shall be liable to a penalty of not less than Five dollars and not exceeding Fifty dollars.

(NOTE Regulation 111 for the Welland Ship Canal.)

(NOTE Regulation 120 for the Sault Ste. Marie Canal.)

Vessels Waiting at Locks

24. (1) When several vessels are awaiting to enter any lock or canal, they shall lie in single tier, and at a distance of not less than 300 feet from such lock or canal, except where local conditions may, in the judgment of the General Superintendent, or the Superintending Engineer or the Superintendent, otherwise require; and each vessel for the purpose of passing through shall advance in the order in which it arrived at the lock or canal except;

- (a) in the case of vessels to which priority of passage is granted by these regulations;
- (b) in the case of a vessel being small enough to lock with a preceding vessel, such vessel may be instructed to advance out of its regular turn to lock with such preceding vessel;
- (c) in the case of one or more single vessels and several barges of one tow waiting for passage, when such order of passage as may be determined by the General Superintendent or the Superintending Engineer or the Superintendent shall govern;
- (d) under special circumstances, in the opinion of the General Superintendent or the Superintending Engineer or the Superintendent, when such other order of passage as shall be determined by such officer shall govern.

(2) For any violation of or attempt to violate any of the provisions of this regulation, the owner of the offending vessel shall be liable to a penalty of not less than Five dollars and not exceeding Fifty dollars.

Priority of Passage Through Locks

25. (1) Except in special circumstances or emergency as to which the General Superintendent or the Superintending Engineer or the Superintendent shall be the sole judge, the following shall be the order of precedence with regard to passage through the canals or locks:—

- (a) Any Canadian Government vessel.
- (b) Vessels built and navigated for the express purpose of the passenger traffic, running on schedule time; also excursion steamers and market boats.

(c) Subject to specific authority granted in each case by the General Superintendent vessels built and navigated for the express purpose of transporting package freight, running on schedule time and taking on or delivering such freight at local ports en route and of whose cargo on each upbound and downbound trip at least seventy-five (75) per cent in tonnage is, in the opinion of the Superintending Engineer, package freight, provided, however, that the precedence herein granted will be effective on the Welland Ship Canal for upbound vessels through the lower entrance lock only and for downbound vessels through the upper entrance lock only and on the other canals only at such locks and only in such direction at each lock as may be determined from time to time by the General Superintendent.

(d) All other vessels.

(2) A lock shall be held for the accommodation of any vessel approaching and being within such distance of such lock that she would be seriously or unduly delayed if any other vessel lying in the tier and over which she has precedence, under the provisions of paragraph (1) of this regulation, were locked before her.

(3) For any violation of or attempt to violate these provisions of precedence the owner of the offending vessel shall be liable to a penalty of not less than Five dollars and not exceeding One Hundred dollars.

Care in Entering and Leaving Locks

26. (1) No vessel shall attempt to enter or leave a lock until the gates are fully opened. The engines must be stopped while the propeller wheel is passing over the mitre sills. The owner of the offending vessel shall be liable to a penalty of not less than Five dollars and not exceeding Twenty dollars for each violation of this regulation.

(2) The rate of speed of any vessel in entering a lock, when the bow of the vessel has reached the open gates, must be such that the vessel can be controlled by her lines alone without depending on the propeller wheel, and the engines must be stopped when the bow of the vessel has reached the middle of the lock between the upper and lower gates, the remaining distance to be travelled by the vessel to be affected and the vessel controlled by means of lines attached to winches installed on the vessel's deck. For any violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Ten dollars and not exceeding One Hundred dollars.

(NOTE Regulation 116 for the Welland Ship Canal.)

Vessel Men to Assist in Passing Vessels

27. Whenever any vessel is passing through a lock or bridge, the vessel's crew shall, whenever and in such numbers as required by the officer in charge of such lock or bridge, be assigned to assist in working the lock or bridge to pass the said vessel through it, during which time the vessel men so assigned shall be subject to, act exclusively under, and comply with the instructions given them by the said officer. For any violation of this regulation the owner of the vessel concerned shall be liable to a penalty of not less than Two dollars and not exceeding Forty dollars.

(NOTE Regulation 105 for the Welland Ship Canal.)

Vessel Lines Required

28. (1) Every vessel of two hundred registered gross tons and under, navigating the canals, shall be provided with at least two good and sufficient lines or hawsers, one at the bow and one at the quarter and every vessel of more than two hundred registered gross tons shall be provided with at least four good and sufficient lines or hawsers, two leading astern, one leading ahead and one abreast line. When locking, such lines shall be made fast to the snubbing posts on the bank of the canal and lock; the two lines leading astern of a vessel of more than two hundred registered gross tons, pulling evenly, shall be made fast to separate snubbing posts; each line shall be attended by one of the boat's crew, to check the speed of the vessel while entering the lock, to prevent it from striking against the gates or other parts of the lock, and to keep it in proper position while the lock is being filled or emptied. For any violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Twenty-five dollars and not exceeding Two Hundred dollars, and the vessel shall not be permitted to pass if, in the opinion of the General Superintendent or the Superintending Engineer or the Superintendent, or the officer in charge, the lines are considered not good or insufficient.

(2) Some slight variations as to relative position in placing of lines exist on the main canals such as the Welland Ship, the Sault Ste. Marie and the St. Lawrence River Canals. In each case the instructions of the lockmasters are to be followed.

(NOTE Regulation 114 (1) for Welland Ship Canal.)

Working Off a Lee Bank

29. No vessel when blown or otherwise held on a lee bank in a canal shall attempt to work herself off with her engine and wheel but shall run lines to the opposite side of the canal and heave out into the channel with her capstan. For any violation of this regulation, the owner of the offending vessel shall be liable to a penalty of not less than Five dollars and not exceeding Twenty dollars.

Mooring and Fastening

30. (1) No vessel shall, whilst in any reach, basin, entrance or other artificial work of any canal, be fastened or moored in such manner as to obstruct navigation.

(2) An order given by the General Superintendent or the Superintending Engineer or the Superintendent with regard to the position, mooring, fastening or removal of any vessel in a canal, including its basins and approaches, or with regard to the accommodation to be given by the master or person in charge of such vessel to the master or person in charge of another vessel shall be immediately complied with and obeyed. In the event of any such order not being complied with or obeyed within such period of time as is deemed reasonable by the General Superintendent or the Superintending Engineer or the Superintendent, the General Superintendent or the Superintending Engineer or the Superintendent may cast off or cut away the hawsers or other fastenings of such vessel or cut away any ring or post to which such hawsers or other fastenings may be attached, and the General Superintendent or the Superintending Engineer or the Superintendent may take possession of such vessel and remove it to such point as he may see fit and he shall have the power of employing such number of men as he deems reasonable for that purpose, all at the expense of the owner of such

vessel, and the owner of such vessel shall be liable for, and shall pay, all damages caused by or incidental to and costs incurred on account of any action taken by the General Superintendent or the Superintending Engineer or the Superintendent under the provisions of this regulation and in addition thereto the owner of such vessel shall be liable to a penalty of not less than Five dollars and not exceeding One Hundred dollars.

Tying to Electric Transmission, Light, Telephone or Telegraph Poles

31. No vessel or raft shall, under any circumstances, place a line of any nature on any electric transmission, light, telephone or telegraph pole or iron railing situated on canal property. For any violation of this regulation the owner of the offending vessel or raft shall be liable to a penalty not exceeding One Hundred dollars for each such offence.

Berths for Vessels

32. (1) Berths for all vessels or rafts, when loading, unloading or stopping at any basin, harbour or landing place, or approach in or to any canal, will, whenever necessary, be assigned by the General Superintendent or the Superintending Engineer or the Superintendent.

(2) Such officer shall have power to change such berths from time to time as he may see fit.

(3) If the wharves are full, such vessels or rafts shall lie where indicated by such officer until a berth has been so assigned.

(4) In the event of any refusal or neglect to comply promptly with such directions as are given by such officer as to the location of such berth, or in the event of any attempt to remove or of the forcible removal of any vessel or raft from the berth assigned to it by such officer, without his permission, the owner of the vessel or raft concerned shall be liable to a penalty of not less than Five dollars and not exceeding One Hundred dollars.

Top Wharfage, Side Wharfage and Ground Rent Charges

33. (1) For the purpose of this regulation and any other of these regulations having reference to Top Wharfage, Side Wharfage and Ground Rent Charges applicable to specific canals,—

- (a) "Top Wharfage Charges" shall mean rates or charges levied on goods loaded on or unloaded from a vessel in a canal;
- (b) "Side Wharfage Charges" shall mean rates or charges levied on a vessel loading, unloading or lying in wait in a canal;
- (c) "Ground Rent Charges" shall mean rates or charges levied on goods occupying unleased canal property.

(2) Except as otherwise provided in special regulations applicable to the particular canal specified, Top Wharfage Charges shall be levied on all goods loaded on or unloaded from vessels in a canal at the rates for such charges as set out in paragraph (4) of this regulation subject to the exceptions below lettered (a), (b), (c), (d), and (e) applicable to all canals and the exception below lettered (f) applicable to the Lachine Canal only,—

- (a) Top Wharfage Charges will be levied but once on goods loaded on and subsequently unloaded from vessels, or unloaded from and subsequently loaded on vessels, at the same point in a canal provided that such goods have not, in the interval, gone through any manufacturing or refining process;

- (b) On goods which are loaded on or unloaded from vessels from or to land held under a departmental lease and which goods are owned by or carried on a vessel owned or chartered by the lessee, Top Wharfage Charges in any year will be levied at only fifty per cent of the rates set out in paragraph (4) of this regulation until the amount of Top Wharfage Charges so levied in such year on such goods shall equal one-third of the yearly rent for the land held under such lease and thereafter in such year Top Wharfage Charges on such goods will be levied at one hundred per cent of the rates set out in the said paragraph (4) and, if in any such lease the yearly rent for land is not specifically stated, the yearly rent for such land for purposes of this regulation shall be determined by the General Superintendent;
- (c) Top Wharfage Charges will not be levied on goods which are unloaded from or loaded on to vessels to or from land held under a departmental lease or by means of facilities operated on canal land by virtue of a lease and which goods are to be used on a vessel as ships' stores or fuel, but each lessee under such a lease shall keep deposited with the Department a security deposit in such amount as shall be determined from time to time by the General Superintendent to be sufficient to pay Top Wharfage Charges on the goods which are so unloaded and which, in his opinion, may not be loaded on vessels for use thereon, the said security deposit to consist of:—
 - (1) An accepted bank cheque on a Canadian chartered bank and/or
 - (2) Bonds of the Dominion of Canada and/or
 - (3) Bonds of the Canadian National Railway Company or its constituent companies unconditionally guaranteed as to principal and interest by the Dominion of Canada,

and the books and papers of the said lessees shall be open to inspection and audit by the officers of the Department at all times.

- (d) Top Wharfage Charges will not be levied on goods loaded from or unloaded to land held under a departmental lease which provides, in effect, that such goods shall not be subject to such charges.
- (e) Top Wharfage Charges at the rates provided for in these regulations will not be levied on goods loaded from or unloaded to land held under a departmental lease which provides, in effect, that such goods shall be subject to Top Wharfage Charges at rates other than those established by these regulations and which does not also provide, in effect, as an alternative or otherwise, for the payment of wharfage rates, tolls or charges to be authorized from time to time by the Governor in Council or other lawful authority, but on such goods Top Wharfage Charges shall be levied at the rates set out in such lease.
- (f) Top Wharfage Charges will not be levied under these regulations on goods which are unloaded from vessels in the Lachine Canal and which will be loaded without delay on vessels in the Harbour of Montreal and, by reason thereof, will pay Top Wharfage Charges to the National Harbours Board or on goods which have been unloaded in the Harbour of Montreal and have, by reason thereof, paid Top Wharfage Charges to the National Harbours Board and which are subsequently, without delay, loaded on vessels in the Lachine Canal.

(3) Goods transhipped from one vessel to another in a canal shall be subject to Top Wharfage Charges at the rates set out in paragraph (4) of this regulation and said charges shall be payable by the owner of the discharging vessel.

(4) Top Wharfage Charges shall be levied as follows:—

(a) On the Lachine Canal, Soulanges Canal, Government Dams at Valleyfield, Ontario-St. Lawrence Canals and Welland Canals, except the Welland River and the Cut at Chippawa, Top Wharfage Charges shall be levied at the rates set out below:—

| Description | Basis | Rates (Cents) | |
|---|----------------|--|------------------------|
| | | at sites providing in the opinion of the General Superintendent, — | |
| | | less than 17' draught | 17' draught or greater |
| Automobiles— | | | |
| (1) Accompanying passengers..... | Each | 15 | 25 |
| (2) Not accompanying passengers..... | Each | 100 | 150 |
| Trucks and Mobile Tanks— | | | |
| (1) Weighing 5 tons or less..... | Each | 100 | 150 |
| (2) Weighing more than 5 tons..... | Each | 200 | 300 |
| Scrap metal..... | Per ton | 5 | 7 |
| Iron Ore— | | | |
| (1) North American..... | Per ton | 4 | 5 |
| (2) Not otherwise specified..... | Per ton | 5 | 7 |
| Iron or Steel Products— | | | |
| (1) Billets, blooms, pig and spiegeleisen..... | Per ton | 6 | 8 |
| (2) Bands, bars, hoop iron, plates, rods, sheets, skelp and strips..... | Per ton | 8 | 10 |
| (3) Machinery, ferro-alloys, piping, rails, structural shapes, tubing, and all iron and steel products not otherwise specified..... | Per ton | 12 | 15 |
| Coal— | | | |
| (1) Anthracite..... | Per ton | 8 | 10 |
| (2) Bituminous..... | Per ton | 6 | 8 |
| Coke..... | Per ton | 6 | 8 |
| Sand, gravel, broken stone and limestone blocks..... | Per ton | 3 | 4 |
| Lumber, logs, poles, piling and ties..... | Per M ft. b.m. | 12 | 15 |
| Pulpwood, cordwood and slabs..... | Per cord | 4 | 6 |
| Creosote..... | Per ton | 20 | 25 |
| Oil products not otherwise specified— | | | |
| (1) In containers..... | Per ton | 20 | 25 |
| (2) Not in containers..... | Per ton | 7 | 9 |
| Grain..... | Per ton | 3 | 4 |
| Flour..... | Per ton | 6 | 8 |
| Fertilizer, organic and chemical..... | Per ton | 20 | 25 |
| Package freight (not otherwise specified)..... | Per ton | 8 | 10 |
| Bulk freight (not otherwise specified)..... | Per ton | 4 | 6 |

(b) On the Trent, Murray, Carillon, Grenville, Ste. Anne, St. Ours and Chambly Canals, Top Wharfage Charges shall be levied at the rates set out below:—

| | Cents per ton |
|--|---------------|
| Package freight | 4 |
| Bulk freight, including unmanufactured timber products, but excluding oil products | 2 |
| Oil products: | |
| (1) In containers | 20 |
| (2) Not in containers | 7 |

(c) On the Sault Ste. Marie Canal Top Wharfage Charges shall be levied at the rates set out below:—

| | * Cents each |
|---------------------------------------|--------------|
| Automobiles, Trucks and Mobile Tanks: | |
| (1) Weighing 5 tons or less..... | 100 |
| (2) Weighing more than 5 tons..... | 200 |

(5) Side Wharfage Charges shall be levied, after a period of forty-eight hours, on a vessel lying in wait, lying in wait and loading or lying in wait and unloading goods in a canal, either at a wharf, dock or land, at a rate of One-half ($\frac{1}{2}$) cent per registered gross ton per twenty-four hours or portion thereof and these charges shall be in addition to Top Wharfage and Ground Rent Charges on goods loaded or unloaded. No vessel shall so occupy a berth for a period of more than forty-eight hours without the permission in writing of the General Superintendent or the Superintending Engineer.

(6) Top Wharfage and Side Wharfage Charges shall be payable to the officer appointed to collect such charges and shall be paid by the owner of the vessel prior to the time the vessel leaves the canal, or, if so authorized by the Department, by the owner of the vessel or by the owner of the goods within twenty days after the date of the Department's account for such charges.

(7) (a) Ground Rent Charges shall be levied, after a period of twenty-four hours, on all goods which are to be loaded directly onto a vessel or which have been unloaded directly from a vessel, from or to unleased canal land at the rates set out in paragraph (4) of this regulation for each period of seven (7) days or portion thereof during which the goods lie on such land. These charges shall be in addition to Top Wharfage and Side Wharfage Charges. No such goods shall occupy unleased canal land for a period of more than twenty-four hours without permission in writing of the General Superintendent or the Superintending Engineer.

(b) Ground Rent Charges shall also be levied on all goods, other than those referred to in paragraph immediately above, placed on unleased canal land at the rates set out in paragraph (4) of this regulation for each period of seven (7) days or portion thereof during which the goods lie on such land but no free period shall be allowed. No such goods shall occupy unleased canal land without permission in writing of the General Superintendent or the Superintending Engineer.

(c) Ground Rent Charges shall be payable to the officer appointed to collect such charges and shall be paid by the owner of the goods prior to the removal of such goods from canal land or, if so authorized by the Department, within twenty days after the date of the Department's account for such charges.

(8) The owner of any vessel entering a canal to discharge goods or leaving a canal in which goods have been taken aboard shall, immediately upon the vessel's arrival in such canal before discharging and immediately prior to the vessel's departure from such canal after loading, respectively, furnish to the officer of such canal charged with the duty of collecting Top Wharfage, Side Wharfage, Ground Rent and other charges and dues, true and correct reports in such form as may be required by the Department specifying the goods making up the vessel's cargo on entering and on leaving the canal and showing the details of each consignment of all goods loaded or unloaded in such canal and, if so required by the General Superintendent or the Superintending Engineer, certified copies of bills of lading of each consignment and a certified copy of vessel's manifest shall also be furnished. If so authorized by the General Superintendent or the Superintending Engineer, such reports, vessel's manifest and bills of lading shall be furnished at a later date by the owner of the vessel or the consignee or consignor of the goods. For any violation of this regulation the owner of such vessel shall be liable to a penalty of not less than Ten dollars and not exceeding One Hundred dollars.

(9) The quantities on which Top Wharfage, Side Wharfage and Ground Rent Charges shall be computed, shall be based at the discretion of the General Superintendent or the Superintending Engineer on reports, vessel's manifest and

bills of lading furnished by the owner of the vessel or the owner of the goods concerned. If quantities are not set forth to his satisfaction in such reports, vessel's manifest and bills of lading, the General Superintendent or the Superintending Engineer shall determine such quantities.

In the computation of Top Wharfage and Ground Rent Charges on the following goods the weights set out below shall be used where applicable:—

| Commodity | Basis | Weight (pounds) |
|--|--------------------|--------------------|
| Sand and gravel | per cu. yard | 3,000 |
| Lumber, logs, poles and ties | per M ft. b.m. | 3,300 |
| Pulp wood | per cord | 4,000 |
| Cordwood | per cord | 6,000 |
| Oil products | | |
| (1) Gasoline | per 270 Imp. gals. | 2,000 |
| (2) Refined oil (Kerosene) | per 245 Imp. gals. | 2,000 |
| (3) Crude oil | per 230 Imp. gals. | 2,000 |
| (4) Fuel oil | per 225 Imp. gals. | 2,000 |
| Flour | per barrel | 200 |
| Cement | per barrel | 350 |

Charges on Goods Loaded or to be Unloaded in a Private Basin

34. Goods which are carried on a vessel in any canal and which have been loaded or are to be unloaded in a private basin connected with or opening from that portion of the said canal between the entrance locks thereof shall be subject to charges computed at one-quarter of the rates set out in paragraph (4) of Regulation 33, and these charges shall be paid by the owner of such vessel prior to the time such vessel leaves the canal or, if so authorized by the Department, by the owner of the vessel or by the owner of the goods within twenty days after the date of the Department's account for such charges.

Loading or Unloading Otherwise Than at a Wharf

35. No vessel shall take on or discharge passengers or goods at any place other than a regular wharf, as determined by the Superintending Engineer, without the express permission, in writing, of the General Superintendent or the Superintending Engineer.

Loading or Unloading in Front of Leased Lots

36. Lessees of canal lots facing canals or basins shall, subject to the disallowance of the General Superintendent or the Superintending Engineer, have the first privilege of loading or unloading vessels on the unleased canal property fronting their respective leased lots; but the General Superintendent or the Superintending Engineer may, if he sees fit, allow any vessel to discharge on unleased canal property although fronting on leased lots.

Time Allowance for Loading and Unloading of Goods

37. The loading and unloading of goods shall be carried out expeditiously throughout each working day, in a manner satisfactory to the General Superintendent or the Superintending Engineer or the Superintendent. Vessels that have ceased discharging or loading, from any cause, shall not be entitled to retain their berths. Goods unloaded must be at once carted or removed to a point clear of the canal wharves and banks.

Piling Goods on Unleased Land

38. Goods placed on unleased canal land shall be piled as directed by the General Superintendent or the Superintending Engineer or the Superintendent.

Obstruction of Thoroughfares

39. No goods shall be placed on the canal wharves or lands so as to obstruct any thoroughfare, nor so as to hinder free passage for teams and trucks along the front of such wharves or lands; nor shall goods, except with the permission, in writing, of the General Superintendent, or the Superintending Engineer, be loaded or unloaded at any lock. For any violation of any of the provisions of this regulation the owner, consignor or consignee of such goods, and the owner of the vessel from which they were unloaded or to which they are to be loaded shall be liable to a penalty of not less than Ten dollars and not exceeding One Hundred dollars. All goods so placed shall be removed forthwith by the owner or person in charge thereof, upon the orders of the General Superintendent or the Superintending Engineer or the Superintendent, to that effect and, in the case of non-compliance with such orders, such owner or person in charge shall be liable to a penalty of not less than Ten dollars and not exceeding One Hundred dollars.

Goods Left on the Wharves or Canal Property Beyond Time Limit

40. (1) In the event of the breach of any of regulations Nos. 37, 38 and 39 hereof, or any part of them, the General Superintendent or the Superintending Engineer or the Superintendent may remove or cause to be removed any goods, or other things, remaining on the wharf or canal land longer than permitted by these regulations, to any place that he sees fit, and such removal shall be made at the costs and charges of the owner, consignor or consignee of such goods or other things, or of the owner of the vessel from which they were unloaded, or to which they are to be loaded, and such costs and charges, and any further reasonable costs and charges in respect thereof, and the costs and charges of the custody and safe-keeping of the same, and all penalties incurred in respect thereof shall be a lien upon such goods and other things, and such goods and other things shall not be delivered to or removed by any other person whomsoever until all such costs, charges and penalties are paid; and notwithstanding such removal by or on the orders of the General Superintendent or the Superintending Engineer or the Superintendent, such goods and other things shall continue to be at the risk of the owners thereof.

(2) If within thirty days after any such removal by or on the orders of the General Superintendent, or the Superintending Engineer or the Superintendent, the costs and charges thereon and all penalties due in respect thereof be not paid, and such goods or other things are not taken away by the owners thereof or their representatives, the General Superintendent or the Superintending Engineer may sell by public auction or otherwise, with or without notice, such goods or other things and apply the net proceeds of such sale in payment or part payment of such costs, charges and penalties, as the case may be, and the balance owing to the Department, if any, shall be recoverable from the said owners; the surplus net proceeds, if any, of such sale, after the payment of such costs, charges and penalties, as the case may be, shall be paid to the said owners.

Wintering and Lying Up

41. No vessel shall winter or lie up in any canal without permission in writing of the General Superintendent or the Superintending Engineer; and even though such permission be granted, all risk and responsibility for the vessel, and any damage it may sustain, shall rest with the owner, whether such damage occur through the drawing off of the water from the canal for repairs with or without notice, fluctuations of the water level, or any other reason or cause whatsoever.

Wintering and Lying Up Charges

42. (1) The rates to be paid by the owner of a vessel wintering or lying up in any canal or in any artificial reach or basin of a canal shall be the rates specified, if any, in the "Special" regulations applicable only to the particular canal specified and in the case of Wintering Charges such rates shall apply to the whole or part of one non-navigation season.

(2) The owner of the vessel concerned shall pay Wintering Charges in advance and Lying Up Charges prior to the vessel leaving its lying up berth except that, if so authorized by the Department, these charges shall be paid by the owner within twenty days after the date of the Department's account for such charges.

Building Vessels on Canal Property

43. Vessels shall not be built on canal property, except under special written permission first obtained, in each case, from the General Superintendent, or the Superintending Engineer, specifying the site, period for the continuance of the privilege and the conditions under which the permission is granted, the charge for the privilege to be as set down in the "Special" regulations for individual canals.

Repairing Vessels on Canal Property

44. No person shall repair any vessel on any canal bank or property, nor prepare thereon material for that purpose, unless with the written permission of the General Superintendent, or the Superintending Engineer, and then only at such place, during such period and upon such conditions as he may specify and at the charges provided for in Regulation 47 hereof. For any violation of this regulation the owner of such vessel, and the person so repairing the same, shall be liable to a penalty of not less than Four dollars and not exceeding Eighty dollars; and, further, in the event of failure to remove such vessel so occupying the canal property within the period of time so fixed, such vessel may be removed, sold or otherwise dealt with, and the proceeds of any such sale applied, in the same manner as provided for in Regulation 67 hereof with respect to vessels and rafts or things abandoned, sunken, lying ashore or grounded in any canal.

Breaking Up of Vessels

45. No vessel or raft shall be broken up in any basin or artificial reach of a canal unless with the written permission of the General Superintendent or the Superintending Engineer first obtained therefor, and then only on the site indicated and the conditions specified by him and at the charges provided for in Regulation 47 hereof. For any violation of this regulation the owner of such vessel or raft shall be liable to a penalty of not less than Ten dollars and not exceeding Two Hundred dollars.

Building, Repair or Breaking Up to be at Risk of Owner

46. In all cases of building, repair or breaking up of vessels or rafts on canal property such vessels or rafts shall be at the risk of the owner.

Charges for Repairing or Breaking Up of Vessels on Canal Banks

47. (1) Charges for each vessel tied up or beached for the purpose of repair or breaking up shall, where no specific charges for such privileges are set down in the "Special" regulations for individual canals, be, during non-navigation and navigation seasons, respectively, the Wintering and Lying-up Charges set down in the "Special" regulations.

(2) This regulation shall be understood as applying to all cases where the canal bank is used in any manner for the repair or breaking up of vessels whether such vessels are actually hauled up or not.

Dropping Anchor

48. No anchor shall be dropped from any vessel in any reach, basin, entrance or other artificial work of any canal unless an emergency exists. The action of dropping an anchor shall be reported to the Superintending Engineer or the Superintendent immediately and the owner of the vessel shall be responsible for all damages, repairs or salvage caused or necessitated by such action.

If, in the opinion of the General Superintendent or the Superintending Engineer, no emergency existed at the time of the dropping of the anchor, the owner of the vessel shall not only be responsible for all damages, repairs or salvage caused or necessitated by such action but shall also be liable to a penalty of not less than Four dollars and not exceeding Forty dollars for violation of this regulation.

Blowing Off Tubes

49. No vessel shall blow off boiler tubes in any canal or harbour. For any violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Five dollars and not exceeding One Hundred dollars.

Refuse

50. (1) No person shall throw, dump or deposit, or cause to be thrown, dumped or deposited any ordure, refuse, filth, garbage, dead animal, dirt, ashes, putrid substance of any kind, stones, ballast, timbers, brush or other rubbish or papers within any canal boundaries or along or over the canal banks. All papers, litter, refuse, garbage or rubbish of any kind shall be placed in cans where provided for that purpose and throwing of rubbish, etc., upon the ground is forbidden. For any violation of this regulation the person offending shall be liable to a penalty of not less than Two dollars and not exceeding Two Hundred dollars for each offence.

(2) No person shall throw, dump or deposit garbage, ashes, paper, ordure, litter, or other rubbish from any vessel into canal waters. For any violation of this regulation the owner of the vessel shall be liable to a penalty of not less than Five dollars and not exceeding Two Hundred dollars for each offence.

Disposal of Snow

51. No person shall throw, dump or deposit, or cause to be thrown, dumped or deposited any snow or ice in any canal or on canal property except with the written permission of the General Superintendent or the Superintending Engineer and as directed by him. For any violation of this regulation the person or persons responsible shall be liable to a penalty of not less than Five dollars and not exceeding Two Hundred dollars for each offence.

Piling Wood

52. No person shall, without the permission in writing of the General Superintendent or the Superintending Engineer, pile wood or place timber, logs, stones or other materials upon the towing path or bank of any canal or basin or upon any canal or harbour ground, and no person shall roll or draw from or into any of the canals, harbours or over the side of any lock or aqueduct or over the side of any embankment, any log, timber, or other material. For any violation of this regulation the person offending shall be liable to a penalty of not less than Five dollars and not exceeding Forty dollars and he shall also be liable for the cost of repairing any damage resulting from the violation of this regulation.

Explosives, Dangerous Goods, Oil Products, Etc.

53. (1) No vessel whose cargo consists in whole or in part of any high explosive or dangerous goods, such as dynamite, nitro-glycerine, gun powder, blasting caps, detonating fuses, corrosive liquid, oxidizing material, etc., shall pass through any portion of the Dominion Canals unless and until written authority therefor is given by the Minister and then only subject to such conditions and restrictions as by such written authority are laid down. A penalty not exceeding Four Hundred dollars shall be incurred by the owner of the offending vessel for any violation of this regulation and for any failure to comply with any of the conditions so laid down.

(2) No such high explosive or dangerous goods shall be brought on, carried over or through or stored or used on canal land unless and until written authority therefor is given by the Minister and then only subject to such conditions and restrictions as by such authority are laid down. For any violation of this regulation and for any failure to comply with any of the conditions so laid down the owner and the person in charge of such high explosive or dangerous goods shall be liable to a penalty of not exceeding Three Hundred dollars.

(3) Vessels which are employed in carrying cargoes of fuel oil, crude oil or gasoline, whether they are loaded, partly loaded or empty, shall, while in canal waters, observe and fulfil all requirements which may be demanded from time to time by the General Superintendent or the Superintending Engineer or the Superintendent. For any violation of this regulation the owner of the offending vessel shall be liable to a penalty of Two Hundred dollars for each offence.

Rafts and Timber—Special Permission Required to Enter Canal

54. (1) Except where drives of logs are permitted under the provisions of "Special" regulations applicable to specific canals, no timber of any description (whether manufactured or unmanufactured) such as lumber, floating timber, rafting materials, ties, poles, logs, pulpwood or cordwood, not in raft, shall be taken into or be allowed or suffered to drift or get into any canal and in case any such timber does get into any canal it may be removed by canal officers at the cost and expense of the owner of such timber and the owner of such timber shall be liable for all loss and damage caused to canal works or equipment by such timber. The owner of any such timber shall also be liable to a penalty not exceeding Twenty dollars.

(2) No raft shall be taken into or through any of the canals without permission of the General Superintendent or the Superintending Engineer or the Superintendent. For any violation of this regulation the owner of such raft shall be liable to a penalty of Twenty dollars.

(3) In case a raft is admitted into any of the canals with permission of the General Superintendent or the Superintending Engineer or the Superintendent, it shall be governed by the following regulations:—

- (a) A full and complete report of each raft shall be furnished, containing an account of the number of cribs, the number of pieces, description of timber, the name and designation of the owner or owners and of the supplier thereof, together with marks and other particulars relating thereto. For any violation of this regulation the owner of such raft shall be liable to a penalty of not less than Twenty dollars and not exceeding Two Hundred dollars.
 - (b) No raft shall approach any other raft nearer than one-eighth part of a mile, unless for the purpose of passing or to be moored.
 - (c) No traverse in any crib shall extend within one inch of the outer edge of the outside piece of such crib.
 - (d) No raft shall be allowed to lie unmoored in any canal, or be moored or allowed to lie in any manner across the channel to obstruct the navigation; and every raft shall be conducted through the canal without any unnecessary delay, at such time only, and under such further regulations as may be made by the General Superintendent or the Superintending Engineer or the Superintendent.
- (4) For every violation of any of the regulations as set out in sub-paragraphs (b), (c) and (d) of paragraph 3 hereof, the owner of such raft shall be liable to a penalty of not less than Ten dollars and not exceeding Forty dollars.

Mooring of Rafts

55. No raft shall be moored along the line of any canal, unless it be placed under the immediate charge of one or more men as may be decided by the General Superintendent or the Superintending Engineer or the Superintendent (according to the quantity of timber it may contain). For any violation of this regulation the owner of such raft shall be liable to a penalty of not less than Ten dollars and not exceeding Forty dollars, and the General Superintendent or the Superintending Engineer or the Superintendent may place in charge of such raft one or more men as may seem to him necessary and the owner shall be liable for the expenses incurred thereby.

Authority for Mooring Rafts

56. No raft shall be, or remain, attached or secured to any wharf or basin, or its approaches, without the express permission of the General Superintendent or the Superintending Engineer or the Superintendent; and the General Superintendent or the Superintending Engineer or the Superintendent shall have the power, without any notice to any person whomsoever, to remove the same by tugs or otherwise; and such raft shall thereafter continue to be and remain at the risk of the owner thereof, and the owner shall be liable for all costs and expenses connected with such removal, including the hire of tugs.

Entering Canal Right of Way

57. No animal, vehicle or person shall enter or leave canal property except at established entrance and exit ways. Any person or persons within canal limits between sunset and sunrise shall state their business, if required to do so by the officer or employee on duty at the time. For any violation of this regulation the owner of the animal or vehicle, or the person offending, shall be liable to a penalty of not less than Four dollars and not exceeding Twenty dollars.

Use of Roads, Towpaths, Pathways and Ground

58. (1) The use of canal roads, towpaths, pathways and grounds shall be subject to the instructions and order of the General Superintendent or the Superintending Engineer or the Superintendent. No animal or vehicle shall travel within the canal limits, except upon roads, towpaths, or other places designated for such animals and vehicles, nor shall any animal or vehicle stand on any roadway except at such places as the General Superintendent or the Superintending Engineer or the Superintendent may designate for such purpose. For any violation of this regulation the owner of the animal or vehicle, or the persons offending shall be liable to a penalty of not less than Five dollars and not exceeding Twenty-five dollars.

(2) The use of canal roads, towpaths or other places designated for animals and vehicles shall be at the sole risk of the owner of such animal or vehicle, and persons using canal roads, towpaths, pathways or grounds shall do so at their own risk. The Department shall not, either directly or indirectly, be held responsible or liable for any injury or damage that may occur to any animal, vehicle, person or property on any canal roads, towpaths, pathways or grounds.

Interference With Bridge Approach Closing Appliances

59. No person shall in any way interfere with or attempt to pass, until fully open, any gate, rope or other appliance made use of in the closing of a street or roadway at either end of a canal bridge or crossing, unless with the consent or under the direction of the officer or employee in charge; and any person who so interferes or who so attempts to pass before the closing appliance is fully open, or who obstructs any such officer or employee in the discharge of any of his duties in connection with such appliances shall be liable to a penalty of not less than Two dollars and not exceeding Forty dollars for each such offence.

Speed on Roadways

60. No horses, bicycles, vehicles, motor cycles, automobiles or motor trucks shall be driven or run along or over the roadways within the limits of any canal at a higher rate of speed than 35 miles per hour, or at such lesser rate of speed as may from time to time be fixed by the General Superintendent or the Superintending Engineer or such other lawful authority as may have jurisdiction in this respect over any such roadway. Provided further that no person shall drive along or over the roads of any canal at a rate of speed greater than is reasonable and proper, having regard to the traffic and use of such road or so as to endanger the life or limb of any person or the safety of any properties.

Highway Traffic at Bridge

61. When approaching bridges, vehicles shall be driven in the proper traffic lane and shall not cut out against the opposite traffic, and vehicles shall not be driven past the mechanical flagman or wig-wag if this warning is in motion, nor past safety gates. Double parking of vehicles while waiting to cross a bridge is prohibited.

Driving Over Bridges

62. No person shall drive any automobile at a faster rate than 15 miles per hour, any motor truck or bus at a faster rate than 10 miles per hour, or any horse or cattle at a faster rate than a walk over any canal bridge on which

a notice is placed to that effect, and any person driving an automobile, motor truck, bus, horse, cow or other animal over a canal bridge shall keep it to its proper traffic lane and shall not cut out against approaching traffic. For any violation of this regulation the person offending shall be liable to a penalty of not less than Five dollars and not exceeding Twenty-five dollars.

Heavy Traffic on Bridges

63. No traction engine, road roller, movable crane, tractor, threshing machine, motor vehicle or thing having wheels or treads with cleats, teeth, spikes, narrow rims or other devices that would deface or mar a bridge floor and no vehicle or thing which with its load, if any, weighs more than ten tons shall be taken or driven on or across any canal bridge by any person (except where a sign is exhibited on or adjoining such bridge fixing the limiting weight at other than ten tons, in which case this sentence shall be taken to read as if the words designating such limiting weight were put in place of the words "ten tons") except by permission and according to the direction of the General Superintendent or the Superintending Engineer. For any violation of or attempt to violate this regulation the owner or person in charge of such engine, roller, crane, machine, vehicle or thing shall be liable to a penalty of not less than Five dollars and not exceeding One Hundred and Fifty dollars for each offence. The cost of any requisite strengthening of such bridge to ensure its safety for such crossing and/or of any protection of bridge floor shall be borne by the owner or person to whom such permission has been granted and, notwithstanding such permission, the crossing of such bridge shall be, in any case, solely at the risk of the said owner or person, and he shall be liable for all damages that may ensue by reason of such crossing.

(NOTE Regulation 106 for Welland Ship Canal.)

Water Levels Above Mills

64. All owners or those in charge of water power plants drawing water from a canal shall stop or shut down their gates, flumes or water wheels when so directed by the General Superintendent or the Superintending Engineer or the Superintendent; and they shall not at any time draw down the water below or raise it above such level as may be permitted by the General Superintendent or the Superintending Engineer or the Superintendent. For any violation of this regulation the person offending shall be liable to a penalty of not less than Five dollars nor exceeding Two Hundred and Fifty dollars for each and every offence.

Interference With Water Supply and Canal Works

65. No person, except owners or users of water power privileges duly authorized, or persons authorized by the General Superintendent or the Superintending Engineer or the Superintendent, shall open or shut any of the gates or sluices of any of the locks, waste weirs or dams, or draw down or raise the water level of a canal by any means whatever, whether for the supply of water for machinery, or for any other purpose; nor shall any person in any manner interfere with any of the locks, bridges, waste weirs, dams, or other canal works or property unless by consent of, and under the direction of the officer or employee in charge of the same. For any violation of this regulation the person offending shall be liable to a penalty of not less than Five dollars and not exceeding Two Hundred dollars for each and every offence.

Interference With Officials

66. (1) Any person who shall interfere with or obstruct or who shall aid any other person in interfering with or obstructing any canal officer or employee while in the execution or performance of his duties shall be liable to a penalty of not less than Twenty dollars and not exceeding Two Hundred dollars.

(2) Any person who shall use profane or abusive language to any canal officer or employee while in the execution or performance of his duties shall be liable to a penalty of not less than Five dollars and not exceeding Fifty dollars.

Removal of Abandoned and Sunken Vessels, Rafts and Things

67. The General Superintendent or the Superintending Engineer or the Superintendent may remove or destroy, by gunpowder or other explosive, or otherwise, with or without notice, any vessel, raft or thing abandoned, sunken, lying ashore or grounded in any canal or canal waters or channel under the control of the Department, or by or through which navigation is or is likely to be impeded or rendered dangerous or difficult, or by or through which the use of any portion of the canal property is or is likely to be obstructed and may sell, by public auction, or otherwise, such vessel, raft or thing, together with the cargo therein or thereon, and apply the proceeds of such sale for payment of or reimbursement for the expenses incurred whether in the removal, destruction or sale of such vessel, raft or thing; and if the net proceeds of such sale are not sufficient to meet such expenses, the amount of the deficiency or, if, in the opinion of the General Superintendent or the Superintending Engineer or the Superintendent, there be nothing of value to be sold, the whole amount of the said expenses shall be recoverable, with costs, from the owner or person in charge of such vessel, raft or thing and/or from the owner of any vessel which was used to move such vessel, raft or thing in the canal, and the owner or person in charge of such vessel, raft or thing and/or the owner of any vessel which was used to move such vessel, raft or thing in the canal shall be liable to a penalty not exceeding Two Hundred dollars.

Liability for and Recovery of Charges, Dues, Penalties, Damages, Etc.

68. (1) The owner of any vessel, raft or thing shall be liable, in addition to any penalty imposed for violation of any of these regulations, for any and all injury or damage done or caused directly or indirectly by such vessel, raft or thing to government, municipal or private property, or to any person, whether the same arise from the fault, neglect or mismanagement of the owner or person in charge or from his inattention to or disregard of these regulations, or from the non-working or defective operation of the vessel's machinery, or of any of its appliances, or from any defects in the vessel's machinery, appliances or gear.

(2) The owner of any vehicle, automobile or motor truck shall be liable for any and all injury or damage done or caused directly or indirectly by such vehicle, automobile or motor truck to canal property or to any person on canal property.

(3) The General Superintendent or the Superintending Engineer shall have, in addition to the power to fix, within the limitations set down in these regulations, the amount of the penalty incurred for violation of any regulation, the power to estimate the amount of compensation for all injuries and damages caused, whether to government, municipal or private property, either directly or indirectly, by any vessel, raft, thing, vehicle, automobile or motor truck. And in the event of any owner or person in charge of any vessel, raft, or thing, or any owner of any goods being liable under any of these regulations for any charges, dues, or penalty, or any injury or damage as aforesaid, the General

Superintendent, or the Superintending Engineer or the Superintendent, may seize and detain such vessel, raft or thing and the goods on board thereof, or unloaded therefrom, and goods placed on canal property, until the amount of such charges, dues, or penalty is paid and, in case of such injury or damage, until the amount in cash of the said estimate is deposited with the Department as security for the payment therefor and which security may be applied on account of compensation for the injury or damage done. The making of such deposit, however, shall not relieve the owner from liability to make pecuniary compensation to the full amount of the injury or damage done or caused as may ultimately be ascertained, nor prevent the subsequent seizure and detention of such vessel, raft or thing and of such goods, until the full amount of pecuniary compensation for the injury or damage done or caused has been paid.

(4) In default of any such payment or deposit as security within a reasonable time, not exceeding thirty days from the date of any such seizure, the General Superintendent or the Superintending Engineer may sell, by public auction or otherwise, with or without notice, any such vessel, raft, thing or goods and apply the net proceeds of such sale in payment or part payment of such dues, charges, penalty or damages, as the case may be, and the balance owing, if any, shall be recoverable from the owner. The surplus net proceeds, if any, of any such sale after the payment of such charges, dues, penalties or damages as the case may be, shall be paid to the owner.

Control by Canal Officers

69. The lockmaster, bridgmaster, bridgekeeper, marine railway operator or damkeeper on any canal shall, subject to any directions given by the General Superintendent or the Superintending Engineer or the Superintendent, be in direct charge of the lock, bridge, marine railway or dam works at the point at which he may be stationed and be held to occupy a responsible and representative position both towards the public users of the canal and towards the lockmen, bridgemen or other employees at the point, and his instructions, conformable to these regulations and the above referred to directions, both in respect of the traffic and of the discipline of the other canal employees under him are to be carried out. He will report at once to his superior officer any violation of these regulations or disobedience or neglect of his orders. In the case of an employee, such disobedience or neglect of orders shall render the employee offending liable to a penalty, suspension or dismissal as may be determined by the General Superintendent or the Superintending Engineer or the Superintendent.

Distinguishing Items of Dress to be Worn by Canal Employees

70. Caps, badges or other distinguishing mark of official position shall be worn by such canal employees, while on duty, as may be directed.

Use of Intoxicating Liquors and Abusive Language

71. (1) No canal officer or employee shall drink spirituous or malt liquor or appear in an intoxicated condition or under the influence of liquor during the time he is on duty.

(2) No canal officer or employee, while within the canal boundaries or on canal property, shall use profane or abusive language.

(3) For any violations of the provisions of this regulation the officer or employee concerned shall be liable to a penalty, suspension or dismissal as may be determined by the General Superintendent or the Superintending Engineer or the Superintendent.

Officers and Employees Not to Engage in Business

72. No officer, or employee shall, without written permission from the Minister, furnish any team, vessel, vehicle, motor vehicle, material or other thing for the use of the public or of any canal; nor shall he employ or contract for the same when owned by any member of his family or by any other canal officer or employee; nor shall he employ any member of his family on the canal, nor use any team, vessel, vehicle, motor vehicle, material or other thing belonging to the public for any private use or purpose. And no officer, or employee, shall, either directly or indirectly, be interested in any contract for any labour, material or other thing connected with the canals; nor shall he keep or be in any way interested in any hotel, tavern or store nor shall he sell or be interested in the sale of fuel, ice or other goods to persons navigating or travelling on any canal, and he shall not, either directly or indirectly, derive any benefit from the expenditure on the canals beyond his established remuneration, nor shall he obtain, for himself or for any other person, by barter, purchase, gift or otherwise, any wheat or other grain or any gasoline or other oil product, or any other thing of monetary value from any vessel or raft using the canal.

Swimming and Bathing

73. No person shall swim or bathe within any area of any canal as may be indicated by a notice, there set up, prohibiting swimming or bathing.

Injury and Defacing of Canal Property

74. No person shall climb, break, cut, trample upon, remove or in any way injure or deface any ornament, tree, plant, shrub, flower, flower-bed, turf, sign, seat or any of the fences, bridges, buildings, booms, or other constructions within any canal boundaries; nor shall any person write upon any fence, bench, seat, rock, stone or structure.

Animals at Large

75. No horse or other animal or fowl shall be allowed to go at large within any canal boundaries, except that dogs may be allowed therein, if accompanied by and under control of their owners. No animal shall be tied to any tree, shrub or structure whether movable or immovable, within any canal boundaries, except as provided for that purpose.

Firearms, Fireworks and Fires

76. Unless holding a lawful permit for the possession of firearms, no person shall carry any gun, pistol or other firearm within any canal boundaries and no person shall fire or discharge any firearm, torpedo, rocket or other firework, within any canal boundaries, without the written permission of the General Superintendent, or the Superintending Engineer so to do, nor shall any person, except a holder of a Camp Permit issued by the Superintending Engineer of the Trent or Rideau Canals for such canal, as the case may be, kindle or build fires within any canal boundaries unless under the supervision of an employee.

Construction Work on Canal Property

77. No driveway or footpath shall be constructed upon canal property, nor shall any person open, dig up, drill, bore or tunnel under any part of the canal system, nor shall any person dig, drill or bore a well for water or other purpose upon canal property, nor shall any person remove any house or building on, along or across any part of the canal system, except under written permit from the General Superintendent or the Superintending Engineer.

Grass, Lawn and Turf

78. No person shall stand, walk or lie, nor shall any person drive, ride or park any vehicle or animal, upon any place where a warning or sign, forbidding such action, has been placed.

Conduct and Language of Visitors

79. No person within any canal boundaries shall utter loud, threatening, abusive or indecent language, or any language tending to create a breach of the peace, or conduct himself or herself in an indecent, obscene or disorderly manner, or wilfully violate any directions for visitors.

Gambling

80. No person shall operate a gambling device or participate in games of chance within any canal boundaries.

Intoxicated Persons

81. No intoxicating liquors or beverages shall be brought or caused to be brought or drunk within the limits of any canal, nor shall any intoxicated person enter or remain upon any portion of any canal.

Throwing Coins

82. The owner of a vessel within the limits of any canal shall not allow passengers or employees on such vessel to throw coins, money or things of any description to persons along a lock or canal. For any violation of this regulation the owner of such vessel shall be liable to a penalty not exceeding Twenty-five dollars for each and every offence.

Picnics

83. All picnics, regattas and water carnivals within any canal limits shall be under the supervision of some person or persons authorized by the General Superintendent or the Superintending Engineer or the Superintendent, and may be held in such places only and at such times as such officer may allow. The canal authorities shall not either directly or indirectly be held responsible or liable for any injury or damage that may occur to any person, persons or property while on any canal grounds.

Care of Children

84. No child under ten years of age shall bathe, fish or play along any canal banks, or about the locks and bridges unless accompanied by and in charge of some person of mature years.

Lost and Found

85. The canal authorities shall not be held responsible for the value of any goods, money or other articles that may be lost, misappropriated or stolen while bathers, excursionists or other visitors are within any canal limits. Any person finding an article lost within the canal limits shall immediately deliver the same to the nearest lockmaster or bridgemaster.

Sales of Wares

86. It shall be unlawful for any person or persons to expose or cause to be exposed any articles or thing for sale, to do any hawking or peddling, to distribute dodgers, or to erect for any purpose a booth, tent, stall or other structure on any canal property; provided that nothing in this regulation contained shall be construed to prevent the carrying on of any business or enterprise sanctioned by lease, licence or permit from the Department.

Soliciting Contributions

87. No person shall within the limits of any canal beg or tell fortunes, solicit patronage to or for any person or persons or business, nor shall any person within the canal limits beg, solicit or invite subscriptions to or for anything whatsoever without written permission of the General Superintendent or the Superintending Engineer.

Advertising

88. No placard, notice or advertisement of any kind or nature shall be posted or attached to anything movable or immovable within the limits of any canal system save under permission or permit from the General Superintendent or the Superintending Engineer. No person shall injure, deface or destroy any notice, rule or bylaw posted on canal property.

Penalties

89. For any violation of Regulations Nos. 73 to 88 inclusive, for which no other penalty has been provided, the person offending shall be liable to a penalty of not less than Two dollars and not exceeding Twenty-five dollars for each and every offence.

SPECIAL RULES AND REGULATIONS APPLICABLE ONLY TO THE PARTICULAR CANAL SPECIFIED

Inconsistencies Between General and Special Regulations

90. In the event of any inconsistency between the provisions of the clauses of the general rules and regulations and the provisions of the clauses of the following special rules and regulations the provision of the special rules and regulations shall prevail.

LACHINE CANAL

Top Wharfage, Side Wharfage and Ground Rent Charges

91. Top Wharfage, Side Wharfage and Ground Rent Charges shall be levied on the Lachine Canal in accordance with the provisions of Regulation 33.

Wintering and Lying Up Charges

92. (1) Wintering Charges in the Lachine Canal shall be One dollar for vessels up to ten tons registered gross tonnage and Ten cents for each ten tons additional.

(2) Lying Up Charges in the Lachine Canal shall be at the rate of One and One-half ($1\frac{1}{2}$) cents per registered gross ton per thirty (30) days.

Closing Down Mill Sluices

93. Should it become necessary at any time, except at the hours of 8 a.m. and 1 p.m., to open up partially or wholly, or except at the hours of 12 noon and 5 p.m., to close down partially or wholly, the sluices or other means of controlling water at any of the water power plants drawing water from the canal for power purposes, the owner or person in charge of such plant shall notify the Superintendent's office to that effect at least 15 minutes before such opening up or closing down; and in default of such notice such owner or person in charge shall be liable to a penalty of Twenty-five dollars for each offence.

Priority Between Locks No. 2 and No. 3

94. When two vessels are heading upstream out of North and South Locks No. 2 at the same time, the vessel in the North Lock shall have preference to take the lead. For any violation or attempt to violate this regulation the owner of the offending vessel shall be liable to a penalty of not less than Ten dollars and not exceeding One Hundred dollars.

SOULANGES CANAL AND GOVERNMENT DAMS AT VALLEYFIELD

Top Wharfage, Side Wharfage and Ground Rent Charges

95. Top Wharfage, Side Wharfage and Ground Rent Charges on the Soulanges Canal and at the Government Dams at Valleyfield shall be levied in accordance with the provisions of Regulation 33.

Wintering and Lying Up Charges

96. (1) Wintering Charges in the Soulanges Canal and at the Government Dams at Valleyfield shall be One dollar for vessels up to ten tons registered gross tonnage and Ten cents for each ten tons additional.

(2) Lying Up Charges in the Soulanges Canal and at the Government Dams at Valleyfield shall be at the rate of One and One-half ($1\frac{1}{2}$) cents per registered gross ton per thirty (30) days.

CORNWALL CANAL

Top Wharfage, Side Wharfage and Ground Rent Charges

97. Top Wharfage, Side Wharfage and Ground Rent Charges on the Cornwall Canal shall be levied in accordance with the provisions of Regulation 33.

Wintering and Lying Up Charges

98. (1) Wintering Charges in the basin between Old Locks Nos. 16 and 17 shall be, in addition to a charge of Two dollars for admission, as follows:—

Vessels occupying a space of:—

| | |
|---|---------|
| Less than 500 square feet.. . . . | \$ 5 00 |
| More than 500 square feet and less than 1,000 square feet.. . . . | 10 00 |
| More than 1,000 square feet and less than 1,500 square feet.. . . . | 15 00 |
| More than 1,500 square feet and less than 2,000 square feet.. . . . | 20 00 |
| More than 2,000 square feet and less than 2,500 square feet.. . . . | 25 00 |
| More than 2,500 square feet and less than 3,000 square feet.. . . . | 30 00 |
| All over 3,000 square feet.. . . . | 35 00 |

Square feet to be determined by the product of the extreme length and extreme breadth of the vessel.

(2) Wintering Charges in the canal except in the basin between Old Locks Nos. 16 and 17 shall be One dollar for vessels up to 10 tons registered gross tonnage plus Ten cents for each additional 10 tons.

(3) Lying Up Charges in the basin between Old Locks Nos. 16 and 17, when space is available without interference with vessels under construction or being repaired, shall be, in addition to a charge of Two dollars admission, as follows:—

Vessels occupying a space of:—

| | Rate per thirty (30) days or fraction thereof |
|---|--|
| Less than 500 square feet.. . . . | 6 00 |
| More than 500 square feet and less than 1,000 square feet.. . . . | 12 00 |
| More than 1,000 square feet and less than 1,500 square feet.. . . . | 18 00 |
| More than 1,500 square feet and less than 2,000 square feet.. . . . | 24 00 |
| More than 2,000 square feet and less than 2,500 square feet.. . . . | 30 00 |
| More than 2,500 square feet and less than 3,000 square feet.. . . . | 36 00 |
| All over 3,000 square feet.. . . . | 42 00 |

Square feet to be determined by the product of the extreme length and extreme breadth of the vessel.

(4) Lying Up Charges in such areas off main canal channels as Bergin Lake, the Old Canal north of Bergin Lake, the Old Canal above the Repair Basin at Cornwall and the Old Canal immediately below Old Lock No. 15 at Cornwall, as and when permitted by the General Superintendent or the Superintending Engineer or the Superintendent, shall be at the rate of One and One-half ($1\frac{1}{2}$) cents per registered gross ton per thirty (30) days.

Charges for Building and Repairs in Basin

99. The charge for building or repairing in the basin between Old Locks Nos. 16 and 17 during the season of navigation shall, in addition to a charge of Two dollars for admission, be as follows:—

On any vessel up to fifty tons registered gross tonnage, Three cents per ton per working day, and for each ton in excess of fifty tons, Two cents per day; a fractional part of a day, not exceeding five hours, to be charged as half a day.

WILLIAMSBURG CANALS

Top Wharfage, Side Wharfage and Ground Rent Charges

100. Top Wharfage, Side Wharfage and Ground Rent Charges on the Williamsburg Canals shall be levied in accordance with the provisions of Regulation 33.

Wintering and Lying Up Charges

101. (1) Wintering Charges in these canals shall be One dollar for vessels up to ten tons registered gross tonnage and Ten cents for each additional ten tons.

(2) Lying Up Charges in these canals shall be at the rate of One and One-half ($1\frac{1}{2}$) cents per registered gross ton per thirty (30) days.

WELLAND CANALS

Statistical Information

102. Statistical offices for the Welland Ship Canal are located on the west side of Lock No. 1 at Port Weller and on the west side of Lock No. 8 at Port Colborne, and for the Third Canal at Lock No. 1, Port Dalhousie.

Printed copies of the "Canal Rules and Regulations" and pamphlets entitled "Speed of Vessels in the Canal" and Welland Ship Canal "Notices to Mariners" are available in the statistical offices. It shall be incumbent upon owners, Masters and persons in charge of vessels about to transit the canals to be in possession of, and thoroughly familiar with, these various regulations.

Top Wharfage, Side Wharfage and Ground Rent Charges

103. Top Wharfage, Side Wharfage and Ground Rent Charges on the Welland Canals shall be levied in accordance with the provisions of Regulation 33, except that these charges will not be levied on the Welland River, including the Cut at Chippawa.

Wintering and Lying Up Charges

104. (1) Wintering Charges in the Welland Ship Canal, in the Third Canal, and in the Harbours of Port Dalhousie, Port Weller and Port Colborne shall be One dollar for vessels up to 10 tons registered gross tonnage and Ten cents for each ten tons additional.

(2) Vessels wintering between Lock No. 8 and the railway bridge at Port Colborne shall vacate their winter berths as soon as the canal is open for traffic at the opening of navigation except those on the west side of the Third Canal which now forms the approach to the Supply Weir.

(3) Lying-up Charges in the Welland Ship Canal, in the Third Canal and in the Harbours of Port Dalhousie, Port Weller and Port Colborne shall be at the rate of Two (2) cents per registered gross ton per thirty (30) days.

(4) The linesmen's fees levied against vessels for the passage through Lock No. 8 immediately prior to and immediately after wintering or lying up in the discharge channel from the supply weir at Humberstone, immediately below Lock No. 8, will be allowed to apply on Wintering or Lying-up Charges imposed under these regulations, when such vessels have come directly from Lake Erie before wintering or lying up and are returning directly to Lake Erie after wintering or lying up.

(5) Floating boathouses, small scows, yachts, motor boats, sail boats, canoes and/or other small craft occupying mooring berths that are not otherwise required shall be charged from Two dollars to Ten dollars per craft for one season of navigation as may be fixed by the General Superintendent.

Linesmen Supplied by the Department—Charges for Same

105. (1) The attention of vessel owners is drawn to the fact that linesmen, in the employ of the Department, will be posted on the walls at all locks on the Welland Ship Canal and that such linesmen, under the direction of the lockmasters, will handle the vessel lines passed to them by the vessel crews during the operation of locking.

(2) For the services of the linesmen in the employ of the Department as in this regulation referred to, rates or charges will be levied against every vessel entering the locks of the Welland Ship Canal, except vessels owned and operated by governments and vessels owned and operated by contractors of the Department, or their agents, in connection with the canal construction or maintenance work, and shall be payable in cash by the owner of the vessel to the officer in charge for the time being of the statistical office in Port Weller or Port Colborne, or, if so authorized by the Department, shall be payable by the owner of the vessel at a later date, as follows:—

- (a) For each one-way passage through all the locks of the canal, vessels not exceeding such dimensions (approximately from 254 to 262 feet maximum overall length) as may permit their locking through the present canals on the St. Lawrence River, a rate or charge of Fifteen dollars; all other vessels, a rate or charge of Thirty dollars.
- (b) For each one-way passage through one or more but not all of the locks of the canal, half the rates or charges set out in sub-paragraph (a) of paragraph (2) of this regulation and the full fee for the round trip will be collected at the port of entry.
- (c) On non-self-propelled vessels being towed in the canal, the foregoing rates or charges will be based on the overall length of the vessel being towed, and no rate or charge will be made against the tug or tugs doing the towing of such vessels.
- (d) Yachts, small boats, or canoes, which are fastened together securely, may be locked through the canal at the charge of a single vessel.

Traffic Over Movable Bridges Crossing the Welland Ship Canal

106. (1) No vehicle, machine or thing, having a gross weight in excess of the following, shall be moved upon wheels, rollers or otherwise over or upon any bridge unless a special permit has been issued to the owner of the said vehicle, machine or thing by the General Superintendent or the Superintending Engineer:

- (a) The gross weight of a vehicle of four wheels with two axles spaced more than 8 feet apart shall not exceed 24,000 pounds and the weight upon one axle shall not exceed 15,000 pounds;

- (b) The gross weight of a vehicle of six wheels so designed that under any loading conditions the ratio of the weight on the middle axle to the weight on the rear axle remains constant, shall not exceed 30,000 pounds and the weight on one axle shall not exceed 15,000 pounds;
- (c) The gross weight of a vehicle equipped wholly or in part with non-pneumatic tires shall not exceed 16,000 pounds and the weight upon one axle shall not exceed 12,000 pounds;
- (d) The gross weight of a vehicle, other than those mentioned in the preceding clauses, shall not exceed 20,000 pounds and the weight upon one axle shall not exceed 15,000 pounds. If axles are spaced less than 8 feet apart the weight on one axle shall not exceed 12,000 pounds.

(2) For any violation of or attempt to violate any provision of this regulation the owner or person in charge of such vehicle, machine or thing shall be liable to a penalty of not less than Five dollars and not exceeding One Hundred and Fifty dollars for each offence.

Overhead Clearances at Vertical Lift Bridges

107. (1) Owners of vessels are warned that the vertical lift bridges over the Welland Ship Canal provide in the open position an overhead clearance of 120 feet above the normal water level of the reaches between the locks and above the water surface of Port Colborne Harbour at Bridges Nos. 20 and 21, when at elevation 573.00 above mean sea level at New York, U.S.A. Vessels having masts extending 100 feet or more above water level shall not be permitted to traverse the Welland Ship Canal or Port Colborne Harbour unless and until their owners have furnished the General Superintendent or the Superintending Engineer or the Superintendent with authentic information concerning the height of such vessels' masts with respect to the vessels' draught markings. No vessel shall traverse the said canal or the said harbour with masts extending more than 117 feet above water level.

(2) The owner of any vessel having masts extending 100 feet or more above water level which attempts to traverse the Welland Ship Canal without the owner thereof having first furnished the General Superintendent or the Superintending Engineer or the Superintendent with information relative to the height of such vessel's masts, as provided for under this regulation, shall be liable to a penalty of not less than Fifty dollars and not exceeding One Hundred dollars for each offence.

Vessels in Tow

108. (1) No tug shall, without permission in writing of the General Superintendent or the Superintending Engineer or the Superintendent, handle more than one non-self-propelled vessel through any portion of the Welland Ship Canal and all conditions given or contained in such permission in writing shall be complied with. Non-self-propelled vessels longer than 260 feet shall be handled through the Ship Canal by two tugs, one forward and one aft. A non-self-propelled vessel handled by one tug shall not be towed, but shall be propelled with the tug securely tied alongside or astern in such a manner as to insure that the tug will fully control the non-self-propelled vessel at all times.

(2) The master or other person in charge of a vessel or tug arriving at Port Colborne or Port Weller with two or more vessels in tow for passage through the Welland Ship Canal shall arrange with the General Superintendent or the Superintending Engineer or the Superintendent for the mooring of such vessels of the tow which cannot immediately proceed through the canal. Each

vessel so moored shall be at all times in charge of a representative of the owner, who shall obey the orders of the General Superintendent or the Superintending Engineer or the Superintendent in any matter relating to the position of the vessel and accommodation or fastenings thereof.

(3) For any violation of any of the provisions of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Fifty dollars and not exceeding One Hundred dollars for each offence.

Speed of Vessels

109. (1) The maximum speed for vessels traversing the Welland Ship Canal subject to compliance with all other related regulations, shall be as follows:—

(a) For vessels not exceeding an overall length of 260 feet, eight miles an hour;

(b) For all other vessels, six miles an hour.

(2) For any violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than One Hundred dollars and not exceeding Two Hundred dollars for each offence.

Overtaking and Passing of Vessels

110. (1) See Regulation No. 19 (1).

(2) If the vessels are within half a mile of a lock or bridge towards which they are progressing, the faster vessel shall not attempt to pass.

(3) No vessel of any size shall attempt to overhaul a vessel exceeding 260 feet in length and no vessel exceeding 260 feet in length shall attempt to overhaul any other vessel.

(4) For any violation of any of the provisions of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Fifty dollars and not exceeding One Hundred dollars for each offence.

Signal of Approach at Bridge

111. (1) Every vessel approaching any bridge over the Welland Ship Canal except as noted in paragraph (2) of this regulation, shall sound three long blasts of her whistle or horn to indicate to the bridgmaster that the vessel desires to pass. For any violation of this provision the owner of the offending vessel shall be liable to a penalty of not less than Ten dollars and not exceeding One Hundred dollars.

(2) Unless an emergency exists, vessels upbound out of Lock No. 1 shall not whistle for Bridge No. 1; vessels upbound out of Lock No. 2 shall not whistle for Bridge No. 3; vessels upbound out of Lock No. 7 shall not whistle for Bridges Nos. 7 and 8; vessels downbound out of Lock No. 8 shall not whistle for Bridge No. 19. See Regulation 116 (5).

Lights on Locks and Movable Bridges

112. (1) The locks, Guard Gate and movable bridges of the Welland Ship Canal are equipped with signal lamps which will indicate whether or not these structures are ready for the passing of vessels. Red and green lights will be used—a red signal or no signal indicating STOP and a green signal indicating PROCEED.

(2) The signal lamps on the bridges are located approximately at the centre of the structures. When the light in the signal lamp shows red or when no signal is shown, vessels shall not approach close to the bridge. When the light in the signal lamp shows green the bridge is fully open and the vessel may then proceed except as noted in paragraphs (3) and (4) of this regulation.

(3) A vessel either upbound or downbound shall not proceed to pass the two bridges Nos. 20 and 21 at Port Colborne until both the said bridges are in the full open position and both the said bridges are showing the green signal at the same time.

(4) A vessel either upbound or downbound shall not proceed to pass the Railway Bridge No. 17 or the Highway Bridge No. 18, which are located close to each other at a point about two miles south of Welland and about four miles north of Lock No. 8 until both the said bridges are in full open position and both the said bridges are showing the green signal at the same time.

(5) The bridges of the Welland Ship Canal are electrically operated and in addition are equipped with auxiliary power, supplied by gasoline engine or by hand. Should an electrical power failure occur, while a bridge is being operated, some time is required to change over to auxiliary power and, in addition the auxiliary power provides very much slower operation.

In the case of the railway bridges which are interlocked with the railway signal system, no power whatever is available for operating the bridge if and when a train is on the signal block.

Vessels, therefore, must approach every bridge at such speed and under such control that the vessel may be brought to rest, if necessary, well clear of the bridge, until such time as the bridge is in the full open position.

The attention of masters and persons in charge of vessels is also directed to the fact that bridgemen are forbidden to signal an approaching vessel with the bridge siren. The siren is used not as a signal to mariners, but as signal to bridge crews, to prepare to open or close the bridge.

(6) For any violation of any of the provisions of this regulation the owner of the offending vessel shall be liable to a penalty of not less than One Hundred dollars and not exceeding Four Hundred dollars for each such offence.

Vessel Waiting at Locks or the Guard Gate

113. (1) Unless otherwise directed by the General Superintendent or the Superintending Engineer or the Superintendent, a vessel waiting to enter any lock or the Guard Gate shall be tied up by her own crew so that her bow is no nearer the lock or the Guard Gate than the sign marked "Limit of Approach." For any violation of this provision the owner of the offending vessel shall be liable to a penalty of not less than Fifty dollars and not exceeding One Hundred dollars for each such offence.

(2) The attention of Masters and persons in charge of vessels approaching the Guard Gate and signalling for its opening is directed to the fact that, as the Guard Gate is interlocked with Lock No. 7, the Guard Gate cannot be operated should the upper gates of Lock No. 7 be in the open position. Masters and persons in charge of vessels shall therefore approach the Guard Gate with great caution, and be prepared to tie up if necessary. Dolphins are provided along the east bank of the canal between the Guard Gate and Bridge No. 10 for downbound vessels to lie against, when waiting for the Guard Gate to be opened. No vessels shall moor against these dolphins for any other purpose than that of waiting to proceed through the Guard Gate, or through Bridge No. 10. The south signal at the Guard Gate is equipped with flashing amber light in addition to the regular red and green lights. The flashing amber light will be used in

conjunction with the regular red light as a notification to mariners that power is available at the Guard Gate. If and when the flashing amber light is not displayed with the regular red light, or when no light is displayed, downbound vessels approaching the Guard Gate will tie to the east bank along the line of dolphins. The use of the flashing amber light will not void or change any rule or regulation regarding signal lights on the Welland Ship Canal.

(3) The attention of Masters and persons in charge of vessels approaching Lock No. 1 from the north, or Lock No. 8 from the south, and signalling for the opening of the lock, is directed to the fact that the north signal of Lock No. 1 and the south signal of Lock No. 8 are equipped with a flashing amber light in addition to the regular red and green lights. The flashing amber light will be used in conjunction with the regular red light as an intimation to mariners that the lock is being made ready to receive a vessel. The bows of approaching vessels shall not pass the "Limit of Approach" sign until such time as the green light is displayed. If and when the flashing amber light is not displayed or when no light is displayed, upbound vessels approaching Lock No. 1 or downbound vessels approaching Lock No. 8 will tie up before reaching the "Limit of Approach" signs. The use of the flashing amber lights will not void or change any rule or regulation regarding signal lights on the Welland Ship Canal.

Vessel Lines Required for the Operation of Locking

114. (1) Every vessel traversing the Welland Ship Canal shall be equipped with at least four live lines operated from winches on the vessel's deck, so arranged that they may be used on either side. The lines of all vessels shall be kept in first class condition and shall be adequate in strength for the purpose for which they are intended. In the operation of locking, each line will be placed on a separate mooring post by a linesman in the employ of the Department and shall be attended to on the vessel by one of the vessel's crew, whose duty it shall be to control the speed of the vessel while entering the lock, to prevent the vessel from striking against the lock gate or other parts of the lock and to keep the vessel in proper position while the lock is being filled or emptied. On upbound vessels the slack of a mooring cable shall not be heaved over the side of the vessel until the loop of the mooring cable has been placed on a mooring post on the lock wall, as such practice not only would add greatly to the work of the Department's linesmen, but also might cause injuries to them. If necessary to prevent fouling by the vessel's mooring cables of railing, stanchions, or other equipment of the vessel, the mooring cable shall be handled and paid off by one or more members of the deck crew during the time the cable is being hauled to the lock coping by the linesmen of the Department.

(2) For any violation of paragraph (1) of this regulation, the owner of the offending vessel shall be liable to a penalty of not less than Ten dollars and not exceeding Fifty dollars for each offence.

(3) Upbound and downbound vessels shall set their lines to the west wall of Locks Nos. 1, 2, 3 and 8 and to the east wall of Lock No. 7, and to the centre wall of Locks Nos. 4, 5 and 6, but this requirement may be varied at the discretion of the General Superintendent or the Superintending Engineer or the Superintendent.

Heaving Lines

115. Downbound vessels shall use their own heaving lines. In this connection, the attention of vessel owners is drawn to the fact that the height of lock walls, with the exception of Lock No. 8, is about fifty (50) feet above the level of the lower reach. This necessitates a long lead of mooring cable

and consequently the use of strong heaving lines. The practice in lowering mooring cables is to take a turn with the heaving line around a mooring post. Only extra heavy heaving lines shall be used for handling mooring cables and such heaving lines shall be kept in first class condition.

Locking

116. (1) Downbound Vessels.—The bow of a vessel shall not pass the sign marked "Limit of Approach" while the signal lamp on the lock to be entered shows red or when no light is shown. When the said signal lamp shows green the vessel may proceed. Proceeding into the lock, the vessel when passing the lock gates shall put her first line ashore and continue slowly under her own or other propelling power to the point where her bow is not closer than 200 feet above the sign marked "STOP" on the lock wall. Beyond this point the vessel shall manoeuvre into position only by means of her lines and winches, and her bow shall not pass the sign marked "STOP."

(2) Downbound Vessels.—Vessel mooring lines of the following classes shall be set in the following order and in such a manner as to keep the vessel in control:—

Line No. 2—or snub line, from the forward winch leading aft.

Line No. 4—or stern line, from the stern winch leading aft.

Line No. 1—or bow line, from the bow winch leading forward.

Line No. 3—or midship line, from the aft winch leading forward.

(3) Upbound Vessels.—The bow of a vessel shall not proceed past the sign marked "Limit of Approach," while the signal lamp on the lock to be entered shows red or when no light is shown. When the said signal lamp shows green the vessel may proceed. After entering the lock the vessel shall have her lines set in the order as provided for under the next preceding paragraph (2) of this regulation for downbound vessels. Upbound vessels entering any lock shall proceed no farther than the sign marked "STOP" located on the lock wall near the upper lock gates in the manner provided for under paragraph (1) of this regulation for downbound vessels.

(4) A vessel with a bow structure extending less than 12 feet above the water surface, when entering Lock No. 8, either downbound or upbound, shall stop before its bow has reached the transverse line of Lock No. 8 at the sign marked "C.L." on the lock wall. Beyond this point the vessel shall manoeuvre into position only by means of its lines and winches and its bow shall not pass the sign marked "STOP" on the lock wall. In order to avoid unnecessary delays where vessels may proceed into Lock No. 8 for a double or triple lockage, vessels of such low freeboard shall check or tie up to allow a vessel with a bow structure extending 12 feet or more above the water surface to precede it into the lock.

(5) While locking, either upbound or downbound, none of the vessel's mooring lines shall be cast off until lock gates, fenders and/or bridges are in the fully open position. A signal that the vessel may proceed will be given by the lockmaster to the Master or person in charge of the vessel who may then by whistle signal or otherwise issue such orders as are necessary to co-ordinate the activities of vessel and lock crews in the casting off of mooring lines.

(6) Vessels downbound while waiting for Lock No. 7 will normally tie to the east wall between Bridges Nos. 8 and 7, but in case of a strong beam wind may tie to the west wall. Two St. Lawrence Canal size vessels only or one large size vessel only may be tied to the east wall north of Bridge No. 8. On the

west wall one only of any type of vessel may be tied. Vessels may be tied to one wall only, that is, if vessels are already tied to the east wall, no vessel shall tie to the west wall, as this would obstruct the channel for southbound vessels.

(7) Ample slack shall be provided in mooring lines when these are being prepared by deck crews for each lockage operation. When insufficient slack cable has been laid out on deck for the lockage operation and that being paid out off the winch drum becomes fouled the linesmen handling the free end of the mooring cable are exposed to the danger of being drawn over the face of the lock wall.

(8) For any violation of paragraph (1) of this regulation the owner of the offending vessel shall be subject to a penalty of Four Hundred dollars for each offence.

(9) For any violation of paragraphs (2), (3), (4), (5), (6) and (7) of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Fifty dollars and not exceeding One Hundred dollars for each offence.

Vessel Movement

117. (1) North of the bridges at Port Colborne, water flows westerly from the Welland Ship Canal into the supply channel thereby producing a cross current that may exert considerable influence against a vessel in that locality. Only vessels in difficulty, by reason of the cross current referred to, may make use with their own crews of the mooring posts provided in the east wall opposite the supply channel.

(2) Above the Guard Gate at Thorold, water enters the safety weir located to the west of the Guard Gate and strong currents may therefore be expected towards the westward. Masters and persons in charge of vessels are accordingly warned to guard against being drawn over to the west.

(3) Vessels shall not be turned in the canal except at the following recognized turning basins:—

- (a) Opposite the St. Catharines Dock—For vessels up to 350 feet in length.
- (b) Thorold—For vessels up to 700 feet in length.
- (c) South of Port Robinson—For vessels up to 600 feet in length.
- (d) North of Lock No. 8 (Ramey's Bend)—For vessels up to 450 feet in length.

(4) Masters and persons in charge of vessels loading or unloading at the new Welland South Dock shall hang over the vessel's sides, before beginning any cargo handling operation, the wooden fenders supplied at the dock for the purpose of protecting the floating fender from injury due to the vessel resting directly against the latter. At the completion of the cargo handling operation and before the vessel casts off from the dock these wooden fenders must be returned to the surface of the dock.

(5) Masters and persons in charge of vessels, downbound, which have tied to the St. Catharines Dock, shall obtain permission to proceed from the lockmaster or person in charge of Lock No. 2 before proceeding. Masters and persons in charge of vessels, upbound, which have been tied to this dock, shall obtain permission to proceed from the lockmaster or other person in charge of Lock No. 3 before proceeding.

Masters and persons in charge of vessels, downbound or upbound, which have been tied to the Thorold Dock, shall obtain permission to proceed from the person in charge of the Guard Gate before proceeding.

Masters and persons in charge of vessels, downbound or upbound, which have been tied to the Ontario Paper Company Docks, shall obtain permission to proceed from the Administration Building, Port Weller, by Bell Telephone, or from the Guard Gate by messenger before proceeding.

Masters and persons in charge of vessels, downbound or upbound, which have been tied to the dock on the east side of the canal north of Bridge No. 10, shall obtain permission to proceed from Bridge No. 10 by telephone or messenger before proceeding.

Masters and persons in charge of vessels, downbound or upbound, which have been tied to the Welland Centre Dock, shall obtain permission to proceed from Bridge No. 14 by messenger before proceeding.

Masters and persons in charge of vessels, downbound or upbound, which have been tied to the Welland South Dock, shall obtain permission to proceed from Bridge No. 16 by messenger before proceeding.

Masters and persons in charge of vessels, downbound or upbound, which have been tied to the bunker dock on the east side of the canal north of Lock No. 8, shall obtain permission to proceed from the Administration Building at Lock No. 8 by Bell Telephone, or from Lock No. 8 by messenger before proceeding.

Masters and persons in charge of vessels, upbound, who intend to stop at the bunker dock on the east side of the canal, north of Lock No. 8, shall notify the lockmaster of Lock No. 7 before leaving that lock so that the lockmaster at Lock No. 8 may be so notified.

Masters and persons in charge of vessels downbound or upbound, which have been tied at leased areas east of the Thorold Turning Basin shall obtain permission to proceed from the Administration Building, Port Weller, by Bell Telephone or from the Guard Gate by messenger or from Lock No. 7 by messenger before proceeding.

Masters and persons in charge of vessels downbound or upbound, which have tied up to the canal bank shall report such action to the nearest canal structure, and shall obtain permission to proceed from such canal structure before proceeding.

Masters and persons in charge of vessels intending to lighten at the Prescott Elevator shall notify the Clerk on duty at the Administration Building, Port Weller, before leaving the Welland Ship Canal.

(6) For any violation of any of the provisions of this regulation the owner of the vessel shall be liable to a penalty of not less than Fifty dollars and not exceeding One Hundred dollars for each such offence.

Port Colborne Harbour and Welland Ship Canal Entrance

118. (1) Vessels shall not moor to the walls of either side of the Welland Ship Canal between the railway bridge and Lock No. 8 for a longer period than twelve (12) hours except to the west side of the Third Canal which now forms the approach to the supply weir.

(2) An upbound vessel waiting for Lock No. 8 may moor to either the east wall or to the west wall, north of the lower "Limit of Approach" for Lock No. 8, provided no other vessel is moored to either wall. If a vessel or vessels are moored to a wall, any other upbound vessel required to wait shall moor to the same wall so that one side of the channel will be kept clear at all times.

(3) A downbound vessel waiting for Lock No. 8 may moor either to the east wall or to the west wall between points 1,600 feet north of the Vertical Lift Railway Bridge, No. 20, and the upper limits of approach for Lock No. 8,

provided no other vessel is moored to either wall. If a vessel or vessels are moored to a wall, any other downbound vessel required to wait shall moor to the same wall so that one side of the channel will be kept clear at all times.

(4) South of the highway bridge, outbound vessels shall moor on the west side of the harbour and inbound vessels on the east side.

(5) The depth of water in front of the west dock for a distance of two thousand four hundred (2,400) feet south of the highway bridge is only 15 feet at standard low water level of Lake Erie, elevation 570.0 above mean sea level at New York.

SAULT STE. MARIE CANAL

Top Wharfage, Side Wharfage and Ground Rent Charges

119. (1) Top Wharfage, Side Wharfage and Ground Rent Charges on the Sault Ste. Marie Canal shall be levied in accordance with the provisions of Regulation 33, Top Wharfage and Ground Rent Charges being levied on automobiles, trucks and mobile tanks only.

(2) No goods, other than automobiles, trucks, mobile tanks and ships' stores, shall be loaded or unloaded from or to canal land at Sault Ste. Marie and no automobile, truck, mobile tank or ships' stores shall be so loaded or unloaded without the permission of the General Superintendent or the Superintending Engineer.

Vidal Shoal Cut—Awaiting Turn for Lockage—Approach Signal

120. (1) No vessel shall pass or attempt to pass another vessel proceeding in the same direction between the western end of the Vidal Shoal Cut and the upper entrance to the lock.

(2) Vessels entering the canal from the east will lie at the south pier when awaiting their turn to lock. Vessels entering from the west will lie at the north pier, leaving a sufficient space for the bridge to swing. Should there be more vessels than can lie at the north pier, the overplus will use the south pier. In the above cases vessels leaving the lock will require to pass to port so as not to interfere with vessels landing at the piers. Upbound vessels after leaving the lock may lie at the south pier. In all cases vessels entering the canal will be guided by the instructions of the lockmen on the piers.

(3) The signal, to be given by steamers approaching the lock, shall be three long and two short blasts of the whistle.

(4) Downbound vessels shall not approach nearer to the swing bridge than the east end of the north pier until the bridge is fully open.

(5) For any violation of, or non-compliance with, any of the provisions of this regulation, the owner of the offending vessel shall be liable to a penalty not exceeding One Hundred dollars in each case.

ST. OURS, CHAMBLY, CARILLON, GRENVILLE AND STE. ANNE CANALS

Top Wharfage, Side Wharfage and Ground Rent Charges

121. Top Wharfage, Side Wharfage and Ground Rent Charges on these Canals shall be levied in accordance with the provisions of Regulation 33, except that charges for the use and occupation of unleased canal property by firewood and logs shall be levied at Two cents per cord per month or portion thereof.

Wintering and Lying Up Charges

122. (1) Wintering Charges in these Canals shall be One dollar for vessels up to ten tons registered gross tonnage and Ten cents for each ten tons additional.

(2) Lying Up Charges in these Canals shall be at the rate of One and One-half ($1\frac{1}{2}$) cents per registered gross ton per thirty (30) days.

RIDEAU CANAL

Top Wharfage, Side Wharfage and Ground Rent Charges

123. Top Wharfage, Side Wharfage and Ground Rent Charges will not be levied on the Rideau Canal.

Wintering Charges

124. Wintering Charges in the Rideau Canal shall be the following:

- (a) Inside any of the basins and in any artificial cut or reach from which the water is withdrawn during the winter, Ten dollars.
- (b) Inside locks at Ottawa, Fifty dollars.
- (c) Inside locks elsewhere, Twenty-five dollars.

Building Vessels

125. (1) For each vessel built or constructed inside any basin, artificial cut or reach or on other canal property, the sum of Twenty-five dollars shall be paid by the person or persons so building her.

(2) All refuse, blocks or other materials shall be removed by the owner on completion of the vessel.

Docking of Vessels

126. (1) Vessels may, but only by special permission from the General Superintendent or the Superintending Engineer in each case, be dried off in any of the locks of the Rideau Canal for the purpose of small repairs, the charge for which privilege shall be Ten dollars.

(2) The owner shall be responsible for all damages that may occur either to his own vessel, or to any government or private property, or on account of any detention that may be occasioned to any other vessel by reason of such occupancy of the lock; and he shall immediately remove his vessel from the lock when and as often as another vessel may require to pass through it, whether the repairs have been completed or not. After the passage of such other vessel, he may again place his vessel in the lock and dry her without extra charge until the requisite repairs are completed.

Drives of Logs

127. (1) No logs shall be driven in any artificial cut of the Rideau Canal or in the other portions of the main route of the canal or through, over or in any structure under the control of the General Superintendent without permission in writing of the General Superintendent or the Superintending Engineer and only logs of soft or lighter woods shall be driven in the navigation reaches.

(2) All drives of logs shall be sufficiently manned and precautions shall be taken to guard against the occurrence of jams or congestion in bends or contracted portions of rivers or of reaches between locks and also against the breaking of the guide booms at the entrance to sluices.

(3) It shall be the duty of the owner or owners of logs, immediately the drive has passed, to remove all "dead heads" left behind, which are or may become a menace to navigation. If "dead heads" are not immediately removed by the owner or owners of the logs, the General Superintendent or the Superintending Engineer shall have the power, and is required to have them removed forthwith, and to charge the expense of their removal to the owner or owners of the logs.

(4) The owner and the person in charge of any raft or drive of logs shall be held jointly and severally responsible for any injury or damage done to any of the booms, piers or other public works in the Rideau Canal by any employee or employees of such owner or person in charge, and the General Superintendent or the Superintending Engineer may seize and detain such raft or drive of logs until the injury or damage so done has been repaired, or until satisfactory security has been given for the payment of the amount at which such injury or damage is estimated by the General Superintendent or the Superintending Engineer.

(5) For any violation of this regulation the owner of the raft or drive of logs shall be liable to a penalty of not less than Five dollars and not exceeding One Hundred dollars for each offence.

Penalties for Injury or Damage

128. Any person who wilfully does any injury or damage to any of the booms, piers or other public works on the Rideau Canal, and any person who aids and assists in so doing any such injury or damage, shall, for every such offence, be liable to a penalty of not less than Twenty dollars and not exceeding Two Hundred dollars, in addition to being liable for the full amount of the injury or damage done.

Skiffs and Canoes

129. The locking of skiffs and canoes on the Rideau Canal is strictly prohibited between the hours of sunset and sunrise; and even during daylight it shall be optional with the lockmaster either to pass them through the locks or have them otherwise conveyed from one level to the other; such passage or conveyance shall be at the risk of the owner or owners, who must assist in any manner that may be considered necessary by the lockmaster.

Dow's Lake

130. (1) No motor vessel, whether driven by outboard or inboard engine shall run on Dow's Lake in the City of Ottawa at a speed greater than 6 miles per hour, and any such vessel on Dow's Lake must proceed quietly in an orderly manner. Sight-seeing boats or pleasure craft may enter and circle around on Dow's Lake, but engine testing, speed testing and continuous circling around is forbidden.

(2) No vessel of any description shall tie up to or lie alongside the boom across Dow's Lake at any time of the day or night, nor anchor or lie in the lake itself (except at the Federal District Commission's boat house by consent of that Commission) between the hours of sunset and sunrise.

(3) For any violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Ten dollars and not exceeding Fifty dollars for each such offence.

Mufflers

131. (1) Subject to the provisions of paragraph (2) of this regulation, no motor-driven vessel shall run with open exhaust anywhere on the Rideau Canal system. For any violation of this regulation, the owner of the offending vessel shall be liable to a penalty of not less than Ten dollars and not exceeding Twenty-five dollars.

(2) For the purpose of participating in a regatta or race and with the permission of the General Superintendent first had and obtained, a vessel may run with open exhaust.

MURRAY CANAL

Top Wharfage, Side Wharfage and Ground Rent Charges

132. Top Wharfage, Side Wharfage and Ground Rent Charges on the Murray Canal shall be levied in accordance with the provisions of Regulation 33.

Wintering and Lying Up Charges

133. (1) Wintering Charges in the Murray Canal shall be One dollar for vessels up to ten tons registered gross tonnage and Ten cents for each ten tons additional.

(2) Lying Up Charges in the Murray Canal shall be at the rate of One and One-half ($1\frac{1}{2}$) cents per registered gross ton per thirty (30) days.

TRENT CANAL

Top Wharfage, Side Wharfage and Ground Rent Charges

134. Top Wharfage, Side Wharfage and Ground Rent Charges on the Trent Canal shall be levied in accordance with the provisions of Regulation 33, except that charges for the use and occupation of unleased canal property by firewood or logs shall be levied at Two cents per cord per month or portion thereof.

Charges for Use of Dry Dock and for Repairs in Unwatered Reaches

| | |
|---|---------|
| 135. One day or part day, per vessel | \$ 8.00 |
| Each additional day or part of day, per vessel . . . | 2.50 |
| On no account is navigation to be delayed by the use of any lock or reach for above purposes. | |
| Charges for wintering in dry dock, for repairs, per vessel | 40.00 |
| Charges for winter use of locks for repairs, per vessel | 50.00 |
| Charges for repairing during winter, in unwatered reaches, per vessel | 20.00 |

Motor Skiffs, Rowboats and Canoes

136. The locking of outboard motor skiffs, rowboats and canoes shall be optional with the lockmaster, who shall either lock them through the locks or have them otherwise conveyed from one level to another; such passage or conveyance shall be at the risk of the owner, or owners, who must assist in any manner considered necessary by the lockmaster.

Berths for Rafts

137. No raft or timber of any description or of logs shall be moored or banded up at any point near the locks, or at the outlet of the river in Pigeon Lake otherwise than at the place that may be allotted for the purpose by the General Superintendent or the Superintending Engineer or the Superintendent, nor shall it occupy more space at such point than so allotted, and the owner or person in charge of such raft shall at any time, when directed so to do, move the same from place to place, or remove the same entirely when required so to do by the General Superintendent or the Superintending Engineer or the Superintendent, and in case of refusal or neglect on the part of the said owner or person in charge to comply with this regulation, they shall be liable to a penalty of not less than Twenty dollars and not exceeding Fifty dollars.

Mufflers

138. (1) Subject to the provisions of paragraph (2) of this regulation, no motor-driven vessel shall run with open exhaust anywhere on the Trent Canal System. For any violation of this regulation, the owner of the offending vessel shall be liable to a penalty of not less than Ten dollars and not exceeding Twenty-five dollars.

(2) For the purpose of participating in a regatta or race and with the permission of the General Superintendent first had and obtained, a vessel may run with open exhaust.

Hydraulic Lift Locks

139. (1) The dates for opening and closing the Hydraulic Lift Locks shall be as follows or such other dates as the General Superintendent may determine:—

Peterborough Lift Lock—Open June 1—Close September 30.

Kirkfield Lift Lock—Open June 16—Close September 15.

Motor boats and other vessels of 5 tons and under will be locked through the Peterborough Lift Lock only at the hours of 9 a.m., 2 p.m., and 7 p.m., except in case of the lockage of a large vessel, when the small boat may lock with the larger vessel; also except in the following cases:—

Vessels engaged in commercial business;

Vessels from Lake Ontario on continuous trip to Lakefield or beyond;

Vessels from Peterborough or South on continuous trip to Lake Simcoe;

Vessels from Lakefield or North on continuous trip to Lake Ontario;

Vessels from Lake Simcoe on continuous trip to Peterborough or points south.

(2) The blowing of the whistle of any vessel while in the entrances, or chambers, of the Hydraulic Lift Locks is strictly prohibited.

(3) Passengers and other persons are forbidden to ride on the lock chambers of the Hydraulic Lift Locks while the locks are in operation.

(4) No person, except the operators, shall be admitted to the control cabin immediately before or during an operation of the lock.

(5) The engines of all vessels going down the canal shall be stopped and reversed to see that their machinery is in proper working order, in the case of the Peterborough Lift Lock, at or immediately before reaching the Norwood road, and in the case of the Kirkfield Lift Lock, at or immediately before reaching the mouth of the Rock Cut, these points being, respectively, approximately 1,000 feet distant from these locks.

(6) All vessels shall be moved by lines only, within the portion of the canal as defined by signal boards at two points; one point, the end of the centre pier above lock gates in the upper reach, and the other point one hundred feet below the chamber gates in the lower reach.

(7) While within the portion of the canal immediately above defined all movements of all vessels shall be absolutely subject to the orders of the lockmaster, and all Masters or persons in charge of such vessels must await and obey the orders of the lockmaster while their vessels are between the points mentioned.

(8) The lockmaster, if in his opinion lockage would be dangerous may prohibit the lockage of a vessel until the owner of the vessel presents a permit for the lockage signed by the General Superintendent or the Superintending Engineer or the Superintendent.

(9) No person shall handle any gate-operating lever, except the lockmaster or his assistants or employee designated to do so by the General Superintendent or the Superintending Engineer or the Superintendent.

(10) All vessel crews, particularly barge and scow crews, must take special care to keep their vessels clear of the chamber gate frames when entering or leaving chambers.

(11) So as to prevent the raising of mud to interfere with the proper operation of lock machinery, vessels must not turn in the upper reach within a distance of 1,000 feet of the chambers.

(12) No rafts shall be permitted to enter the Hydraulic Lift Locks except boom timbers properly rafted with their chains removed or securely tied up, and cookery and capstan cribs properly constructed, all as approved by the General Superintendent or the Superintending Engineer or the Superintendent.

(13) The Hydraulic Lift Locks are not intended to be operated for lockage experience or sensation by vessel owners and if there is reason to believe that an application for a one-way passage is a preliminary only for a return passage, the Superintendent or lockmaster may refuse passage.

(14) Every person, in whatsoever capacity he may be acting, who shall violate or infringe any provision of this regulation relating to Hydraulic Lift Locks, shall be liable to a penalty of not less than Twenty-five dollars and not exceeding Two Hundred dollars, in addition to any penalty to which he may be liable under the "General" regulations.

Passengers Not to Embark or Disembark at Hydraulic Lift Lock

140. No passenger shall be permitted to embark on or disembark from any vessel while such vessel is within the portion of the canal defined by paragraph (6) of Regulation No. 139, relating to the Hydraulic Lift Locks. The term "passenger" in this regulation includes any and everyone except the officers and members of the vessel's crew actively engaged in moving the vessel; for any violation of this regulation the owner of the vessel shall be liable to a penalty of Five dollars, in each case.

Drives of Logs

141. (1) No logs shall be driven in any artificial cut of the Trent Canal or in other portions of the main route of the canal or through, over or in any structure under the control of the General Superintendent without permission in writing of the General Superintendent or the Superintending Engineer or the Superintendent and only logs of soft or lighter woods shall be driven in the navigation reaches.

(2) All drives of logs shall be sufficiently manned and precautions shall be taken to guard against the occurrence of jams or congestion in bends or contracted portions of rivers or of reaches between locks, and also against the breaking of the guide booms at the entrance to sluices.

(3) During such hours as switch booms for log drives are placed across navigation channels they shall be continuously manned by the owner or owners of the logs; and they shall be opened immediately upon vessels offering for passage.

(4) In the event of the occurrence of a jam or congestion at any point and the consequent stoppage of navigation for a period exceeding three hours, the General Superintendent or the Superintending Engineer or the Superintendent shall have power, and is required to take such steps as he may see fit, and at the risk of the owner or owners of the logs, to relieve the jam or congestion whether by the employment of additional men, the use of tugs or otherwise, the expenses thereby entailed to be defrayed by the said owner or owners; the said owner or owners shall further, be liable for all and any delay that may be caused by such jam or congestion to any vessel navigating the canal and subsidiary waters, and, in addition, the said owner or owners shall be liable to a penalty of not less than Fifty dollars and not exceeding One Hundred dollars for each such occurrence. The expenses of relieving the jam or congestion and the said penalty may be collected from all log owners concerned in the drive, jointly or severally, without regard to the individual interests in the drive.

(5) The General Superintendent or the Superintending Engineer or the Superintendent shall have power, and is required to secure and hold the whole of the drive of logs of which those causing the jam or congestion form part until such time as payment be made of the above mentioned expenses and penalty, and further, in the event of payment not being made within fifteen days from the date of seizure, the General Superintendent or the Superintending Engineer may sell by public auction or otherwise, with or without notice, the said drive of logs and apply the net proceeds of such sale in payment or part payment of such expenses and/or penalty, and the balance owing, if any, shall be recoverable from the said owner or owners. The surplus net proceeds, if any, of such sale after payment of such expenses and penalties, shall be paid to the said owner or owners.

(6) Where separate channels in rivers or lakes are not provided for the passage of logs, it shall be the duty of the owner or owners of the logs, immediately the drive has passed, to remove all "dead heads" left behind, which are, or may become, a menace to navigation. If "dead heads" are not immediately removed by the owner or owners of the logs, the General Superintendent or the Superintending Engineer or the Superintendent shall have power, and is required, to have them removed forthwith, and to charge the expense of their removal to the owner or owners of the logs.

Responsibility for Injury or Damage

142. (1) The owner, and the person in charge of any raft or drive of logs, shall be held jointly and severally responsible for any injury or damage done to any of the slides, booms, piers or other public works in the Trent Canal by any employee or employees of such owner or person in charge, and the General Superintendent or the Superintending Engineer or the Superintendent may seize and detain such raft or drive of logs until the injury or damage so done has been repaired, or until satisfactory security has been given for the payment of the amount at which such injury or damage is estimated by the General Superintendent or the Superintending Engineer.

(2) Any person who wilfully does any injury or damage to any of the slides, booms, piers or other public works of the Trent Canal and any person who aids and assists in so doing any such injury or damage, shall for every such offence be liable to a penalty of not less than One Hundred dollars and not exceeding Two Hundred dollars, in addition to being liable for the full amount of the injury or damage done.

Size of Rafts

143. (1) Where separate channels in the rivers and lakes are provided for the passage of logs and other timber, these alone are to be used therefor. Where separate channels in the rivers and lakes are not provided for the passage of logs and timber, the owners or persons in charge of such logs and other timber will be required to make them up into separate rafts of not more than five thousand (5,000) pieces in each raft, and in no case whatever shall any two rafts be within a quarter of a mile of each other while in motion.

(2) No more logs or other timber shall be passed over any dam at one time than can be accommodated between the dam next below and the switch boom above it leading to the lock.

(3) For any violation of the provisions of this regulation the owner or person in charge of such logs or other timber shall be liable to a penalty of not less than Fifty dollars and not exceeding Two Hundred dollars.

Guide Booms

144. No raft shall be snubbed or fastened to any guide boom or guide boom pier, nor shall any raft be so sent down any channel as to change the position of any guide boom, nor shall any person, whether by releasing the same from the piers, or anchor, or otherwise, unless under express permission of the General Superintendent or the Superintending Engineer or the Superintendent first obtained, change the position of any guide boom. For any violation of this regulation the owner or person in charge of said raft shall be liable to a penalty of not less than Twenty dollars and not exceeding One Hundred dollars.

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Dominion of Canada

DEPARTMENT OF TRANSPORT

AMENDMENTS

As established by the Order in Council of July 2, 1941

TO

RULES AND REGULATIONS

As established by the Order in Council of April 11, 1940

FOR THE GUIDANCE AND OBSERVANCE
OF THOSE USING AND OPERATING THE

CANALS OF CANADA

Under the Jurisdiction of
the Department of Transport

*Published by authority of the Hon. P. J. A. Cardin, M.P.
Minister of Transport*



OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1941



[4763]

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 2nd day of July, 1941.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport, is pleased to amend the Rules and Regulations for the guidance and observance of those using and operating the canals of Canada under the jurisdiction of the Department of Transport, cited as the "Canal Rules and Regulations", as established by Order in Council of April 11, 1940, effective July 1, 1940, and they are hereby amended as follows:—

1. Regulation 4 is revised to read as follows:—

4. All vessels or rafts, when plying on or passing through the canals, shall do so entirely at the risk of their respective owners; and neither His Majesty nor any agent of His Majesty shall on any account be held liable or responsible for any compensation to the owner or owners of any such vessel or raft should it be prevented from using any canal, or part thereof, or be detained or delayed while passing through the same, on account of an accident, howsoever caused, that may occur to the works or structures forming part of any of the said canals, or during any repairs to the same, or for any other reason.

(Effective on and after June 1, 1941)

2. Certificate and Agreement in Regulation 5 is revised to read as follows:—

Certificate and Agreement

The undersigned certifies that this Ship's Report contains a full, just and true account of the (a) (hereinafter referred to as "the said vessel") and of all goods and passengers on board the said vessel for the voyage from the port of (b) to the port of (c) and the undersigned in consideration of being allowed by His Majesty passage through or use of those canals of the Dominion of Canada on the route of the said voyage, agrees that such passage or use shall be made subject to the current rules and regulations in force, approved by the Governor in Council, and to all the fines, penalties, conditions and liabilities imposed thereby for the infraction thereof; and further agrees to comply with and abide by all the provisions in such rules and regulations, and, forthwith on demand to pay and discharge all dues, fines, penalties, and liabilities imposed under such rules and regulations, and, in default, that such action may be taken by and on behalf of His Majesty as provided for in such rules and regulations to enforce compliance therewith, and to give effect to the same, and for the recovery of all such dues, fines, penalties and liabilities so imposed; and further agrees to make no claim or demand or take any action or proceeding in a Court of Law or Equity against His Majesty or agent of His Majesty, for, or by reason of, any damage, injury or loss caused to or sustained by the said vessel or its cargo while

passing through the said canals or any of them, caused by or resulting from the negligence of any officer or servant or agent of His Majesty while acting within the scope of his duties or employment or agency on said canals or any of them and further agrees to indemnify and save harmless His Majesty, His officers, servants or agents from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, brought or prosecuted, in any manner based upon, occasioned by or attributable to the passage of the said vessel through the said canals or any of them

Dated this.....day of.....19....

(d) Owner of Vessel.....

(e) Signature.....

Agent of owner of aforesaid vessel.

(f) Title.....

Witness.

(a) Insert name of vessel or, in the case of a raft, the material thereof;

(b) Insert name of port of departure;

(c) Insert name of port of destination;

(d) Insert name of owner of vessel;

(e) Signature of person authorized to sign on behalf of such owner;

(f) Statement of office or occupation of signatory.

(Effective on and after June 1, 1941)

3. Regulation 11 is revised to read as follows:—

11. All sailing or other vessels navigating any canal under the jurisdiction of the Department or any of the harbours of Port Colborne, Port Weller and Port Dalhousie shall have all their equipment, accessories and cargo so arranged and secured that no damage will be done to any lock gates, piers, bridges or other works or property of, or to any other vessel in, any such canal or harbour; and all their discharge pipes shall be covered with hoods so as to discharge below the lock coping. All vertical and/or hanging fenders used by vessels when passing through locks shall be made of such material as will float, or if not made of such material as will float, shall be securely fastened to the vessel by means of a steel cable or by means of two manila ropes, all in good condition. Automobile tires shall not, under any circumstances, be used as fenders. For each violation of this regulation the owner of the offending vessel shall be liable to a penalty of not less than Five Dollars and not exceeding Forty Dollars.

(Effective on and after June 1, 1941)

4. The first clause of paragraph (2) of Regulation 33 is revised to read as follows:—

33. (2) Except as otherwise provided in special regulations applicable to the particular canal specified, Top Wharfage Charges shall be levied on all goods loaded on or unloaded from vessels in a canal at the rates for such charges as set out in paragraph (4) of this regulation subject to the exceptions below lettered (a), (b), (c), (d), (e) and (f) applicable to all canals and the exceptions below lettered (g) and (h) applicable to the Lachine Canal only,—

(Effective on and after July 1, 1940)

5. Sub-paragraph (b) of paragraph (2) of Regulation 33 shall be revised to read as follows:—

33. (2) (b) On goods which are loaded on or unloaded from vessels from or to land held under a departmental lease and which goods are owned by or carried on a vessel owned or chartered by the lessee, Top Wharfage Charges in any calendar year will be levied at only fifty per cent of the rates set out in paragraph (4) of this regulation until the amount of Top Wharfage Charges so levied in such year on such goods shall equal one-third of the yearly rent for the land held under such lease and thereafter in such year Top Wharfage Charges on such goods will be levied at one hundred per cent of the rates set out in the said paragraph (4) provided that, for the purpose of this regulation,—

- (i) If in any such lease, the yearly rent for the land is not specifically stated, the yearly rent for such land shall be determined by the General Superintendent.
- (ii) After December 31, 1940, the yearly rent for the land held under such lease shall be deemed to be the rent for such land as may accrue within the calendar year concerned.
- (iii) Two or more leases to the same lessee shall be considered as one lease if such leases cover parcels of land which are contiguous or separated only by land used for highway or railway purposes and if all such parcels of land are used in connection with the same business, all as determined by the General Superintendent.
- (iv) Sublessees under subleases consented to by the Minister shall be considered to be lessees of the Department and the division of the yearly land rental under the departmental lease as between the original lessee and the sublessee or sublessees or as between the sublessees shall be as determined by the General Superintendent.
(Effective on and after July 1, 1940)

6. Sub-paragraph (c) of paragraph (2) of Regulation 33 is revised to read as follows:—

33. (2) (c) Top Wharfage Charges will not be levied on goods which are unloaded from or loaded on to vessels to or from land held under a departmental lease or by means of facilities operated on canal land by virtue of a lease and which goods are to be used on a vessel as ship's stores or fuel, but each lessee under such a lease shall keep deposited with the Department a security deposit in such amount as shall be determined from time to time by the General Superintendent to be sufficient to pay Top Wharfage Charges on the goods which are so unloaded and which, in his opinion, may not be loaded on vessels for use thereon, the said security deposit to consist of:

- (i) An accepted bank cheque on a Canadian chartered bank and/or
- (ii) Bonds of the Dominion of Canada and/or
- (iii) Bonds of the Canadian National Railway Company or its constituent companies unconditionally guaranteed as to principal and interest by the Dominion of Canada and/or
- (iv) Bonds of a surety or a guaranty company satisfactory to the Minister and in such form and terms as may be approved of by the Minister,

and the books and papers of the said lessees shall be open to inspection and audit by the officers of the Department at all times.

(Effective on and after June 1, 1941)

7. A new sub-paragraph (f) of Paragraph (2) of Regulation 33 is inserted to read as follows:—

33. (2) (f) Top Wharfage Charges will not be levied under these regulations on grain and grain products determined by the General Superintendent to be destined for export out of Canada, and the books and papers of the persons and companies owning and/or handling such grain and grain products shall be open at all times to inspection and audit by the officers of the Department for the purpose of determining the destination of such grain and grain products and such persons and companies shall satisfy the General Superintendent that such grain and grain products are destined for export out of Canada.

(Effective on and after July 1, 1940.)

8. A new sub-paragraph (g) of paragraph (2) of Regulation 33 is inserted to read as follows:—

33. (2) (g) Subject to specific authority granted for each vessel by the General Superintendent in a written notification to the owner of such vessel and effective only for the period mentioned in such notification, in no case extending past the end of the navigation season current at the date of such notification, Top Wharfage Charges shall be levied at the rate of $8\frac{1}{2}$ cents per ton, instead of at the rates set out in paragraph (4) (a) of this regulation, on all goods, except Automobiles and Trucks and Mobile Tanks, loaded or unloaded on the Lachine Canal on to or from a vessel built and navigated for the express purpose of transporting package freight, running on schedule time and taking on or delivering such freight at ports en route and of whose cargo on each upbound and downbound trip at least seventy-five (75) per cent in tonnage is package freight, all as determined by the General Superintendent.

(Effective on and after April 1, 1941.)

9. Sub-paragraph (f) of paragraph (2) of Regulation 33 is re-lettered (h) and revised to read as follows:—

33. (2) (h) On goods which are unloaded from vessels in the Lachine Canal and which will be loaded without delay on vessels in the Harbour of Montreal and, by reason thereof, will pay Top Wharfage Charges to the National Harbours Board or on goods which have been unloaded in the Harbour of Montreal and have, by reason thereof, paid Top Wharfage Charges to the National Harbours Board and which are subsequently, without delay, loaded on vessels in the Lachine Canal, Top Wharfage Charges will be levied at only fifty per cent of the rates which would be in effect under these regulations except for the provision of this paragraph.

(Effective on and after April 1, 1942.)

10. Paragraph (5) of Regulation 33 is revised to read as follows:—

33. (5) Side Wharfage Charges shall be levied, after a period of ninety-six hours on the Welland Ship Canal and of forty-eight hours on the other canals, on a vessel lying in wait, lying in wait and loading or lying in wait and unloading goods in a canal, either at a wharf, dock or land, at a rate of one-half ($\frac{1}{2}$) cent per registered gross ton per twenty-four hours or portion thereof and these charges shall be in addition to Top Wharfage and Ground Rent Charges on goods loaded or unloaded. No vessel shall so occupy a berth for a period of more than ninety-six hours on the Welland Ship Canal or of more than forty-eight hours on the other canals without permission in writing of the General Superintendent or the Superintending Engineer.

(Effective on and after July 1, 1940.)

11. Sub-paragraph (a) of paragraph (7) of Regulation 33 is revised to read as follows:—

33. (7) (a) Ground Rent Charges shall be levied, after a period of ninety-six hours on the Welland Ship Canal and of forty-eight hours on the other canals, on all goods which are to be loaded directly on to a vessel or which have been unloaded directly from a vessel, from or to unleased canal land, at the rates for Top Wharfage Charges set out in paragraph (4) of this regulation for each period of seven (7) days or portion thereof in the navigation period and for each period of twenty (20) days or portion thereof in the non-navigation season during which the goods lie on such land. These charges shall be in addition to Top Wharfage and Side Wharfage Charges. No such goods shall occupy unleased canal land for a period of more than ninety-six hours on the Welland Ship Canal or of more than forty-eight hours on the other canals without permission in writing of the General Superintendent or the Superintending Engineer.

(Effective on and after February 1, 1941.)

12. A new paragraph (4) is inserted in Regulation 53 to read as follows:—

53. (4) Any loading or unloading of such explosives and dangerous goods and/or flammable liquids such as fuel oil, crude oil or gasoline on to or from a vessel in a canal shall be carried on strictly in accordance with the requirements which may be demanded from time to time by the General Superintendent or the Superintending Engineer or the Superintendent. For any violation of this regulation the owner of such vessel shall be liable to a penalty of Two Hundred Dollars for each offence.

(Effective on and after June 1, 1941.)

13. A new Regulation 53A is inserted to read as follows:—

Protection On and About Vessels

53A. The owner of any vessel in a canal or its approaches shall, at his own cost and risk, promptly and fully comply with all requirements of the General Superintendent from time to time with respect to the provision and maintenance on or about such vessel of watchmen, lookouts, guards and other protection, and with respect to the number, qualifications and duties of the personnel to be so provided, the equipment (including arms, ammunition, etc.) and the distinctive arm band with which such personnel shall be provided and the time or times during which any or all of the said personnel, equipment or protection shall be maintained. For any violation of this regulation the owner of the vessel concerned shall be liable to a penalty of not less than Fifty dollars and not exceeding Two Hundred dollars.

(Effective on and after June 1, 1941.)

A. D. P. HEENEY,
Clerk of the Privy Council.

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